TEACHER TENURE: FLAWED, BUT TEACHERS LIKE IT 4 | THE FRIEDMAN REPORT: SCHOOL CHOICE ROUNDUP 10-11 | TERRY M. MOE INTERVIEW ON 14-15

School Reform News

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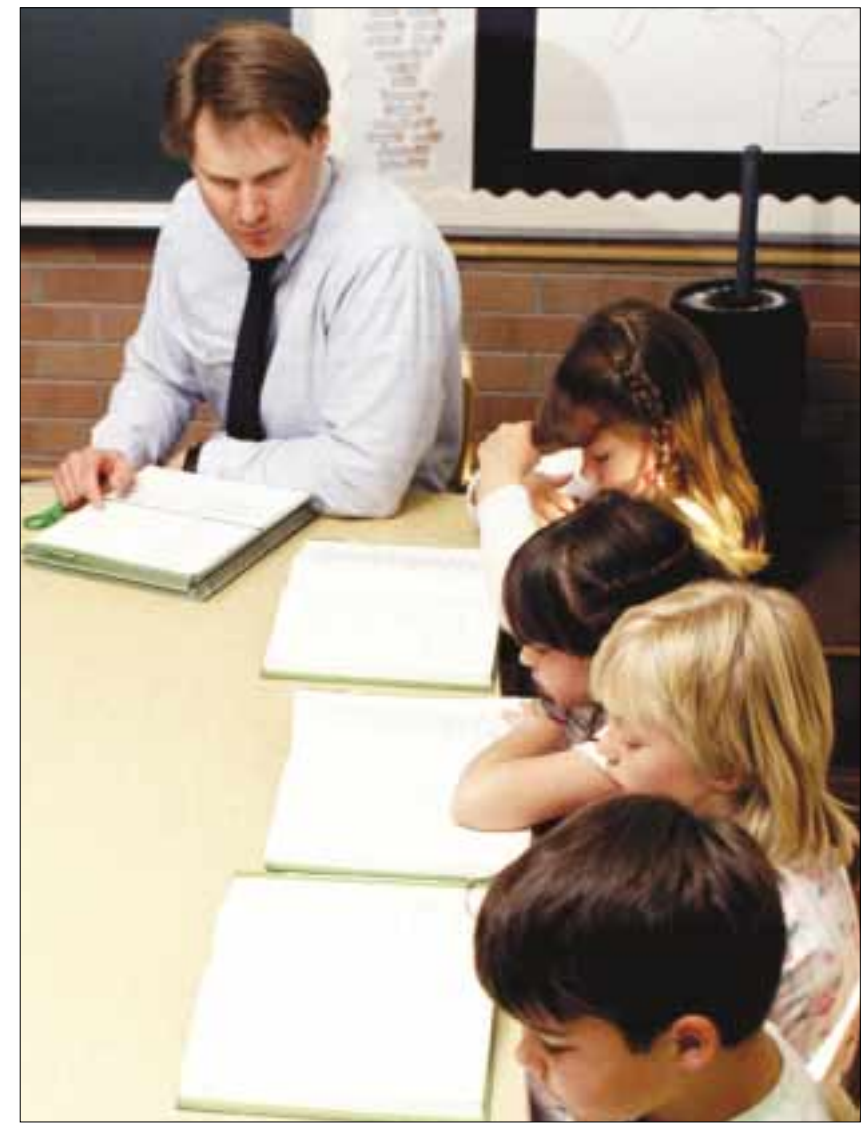
# Parents Hail Florida's Special Ed Vouchers

*Will benefits spread across the nation?*



**Robert Holland**

Florida's program making vouchers available to any special-education student in the state is yielding significant benefits for participants after just three full years of operation.

Now the question is: Will families across the nation eventually be able to use this innovative form of school choice to help address their own children's special needs?

Manhattan Institute scholars Jay P. Greene and Greg Forster conducted the first empirical evaluation of Florida's McKay vouchers, named for the former president of the state senate, who championed them.

Under the program, parents dissatisfied with the special education services provided to their children in public schools can use a voucher to enroll their children in participating private schools. The vouchers are equal to the cost of educating students in public schools and are applied toward tuition and fees.

Currently, 9,202 students use McKay vouchers, making it already the second largest voucher

MCKAY continued on page 17

## Foes Attack Colorado Vouchers

**George A. Clowes**

When the Institute for Justice pledged to defend the new school choice program Colorado Governor Bill Owens signed into law on April 16, the public interest law firm didn't have to wait long to make good on its promise.

Just five weeks later, on May 20, a coalition of voucher foes filed suit in Denver District Court to block the Colorado Opportunity Contract Pilot Program, the nation's latest expansion of choice-based school reform.

"Colorado Supreme Court precedent is very favorable to school choice, and

COLORADO continued on page 6

## Congress Mulls Reform of Teacher Training

**Robert Holland**

A strong bid is under way on Capitol Hill to use the pending reauthorization of the federal Higher Education Act of 1965 (HEA) to pressure universities, their professional schools of education, and state departments of education to reform how teachers are prepared and licensed to work in the nation's K-12 classrooms.

Institutions of higher learning have their most direct impact on elementary and secondary education through the training of teachers. State departments of education typically collaborate with

TRAINING continued on page 5

## *Brown v. Board* Leaves Schools Unequal

**Kelly Amis Stewart**

The Cato Institute of Washington, DC, in cooperation with the Center for New Black Leadership, recently brought together a heavy-hitting group of education reformers and researchers to discuss "Educational Freedom and Urban America: *Brown v. Board* after Half a Century."

Almost five decades after the *Brown* decision, public education in America remains unequivocally unequal in outcomes, with minority children bearing the brunt of the disparity. While 24 percent of

BROWN continued on page 9

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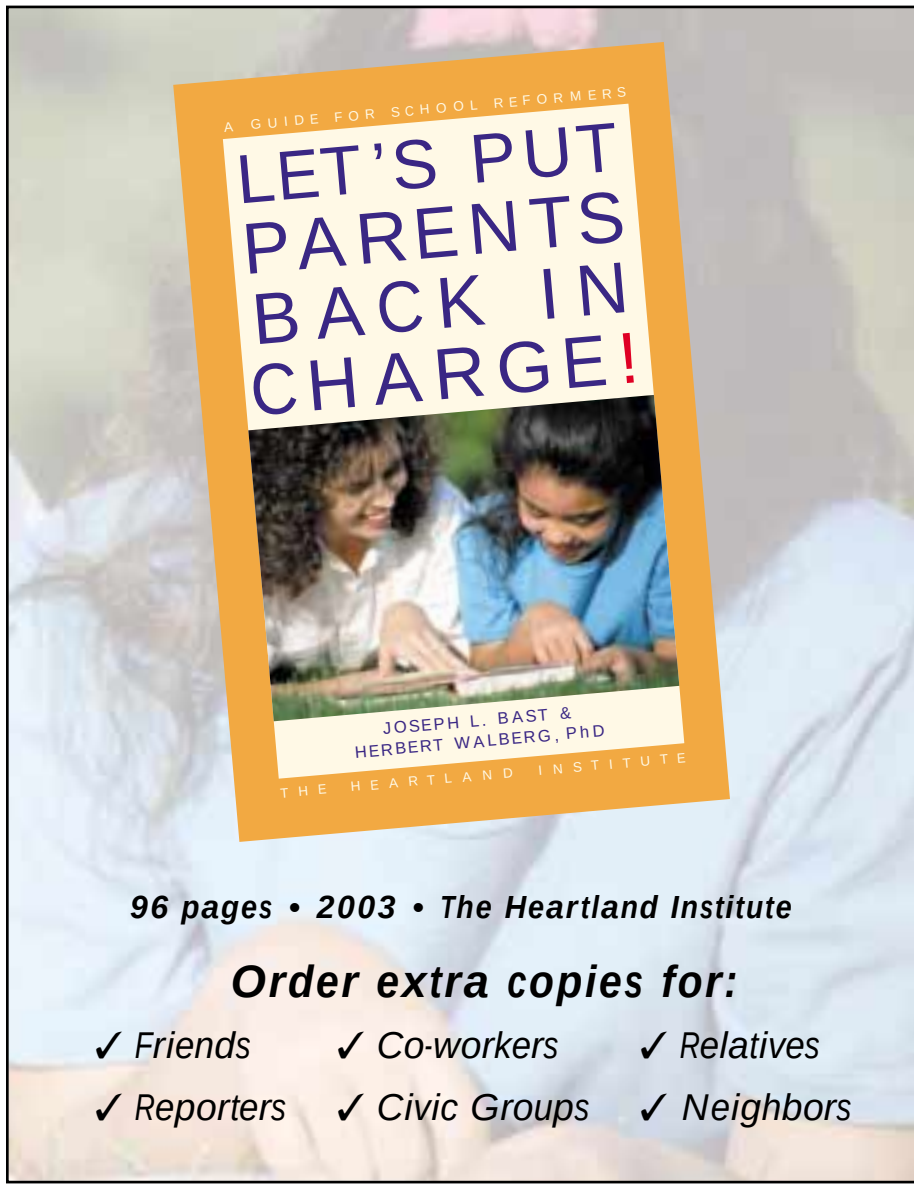


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# Support for Vouchers by DC Officials Continues to Grow

**Don Soifer**

At a May 9 hearing of the House Government Reform Committee, prominent District of Columbia officials expressed their unprecedented support for bringing vouchers to the District.

Mayor Anthony Williams, a Democrat, told the committee he had been impressed by research demonstrating that school choice boosts the academic achievement of inner-city African-American students. He shared his views on what a successful voucher program would entail, and he praised Education Secretary Rod Paige and his team for meeting with district officials and for inviting them to work together to develop a plan to improve educational options for district families.

"I cannot say to thousands of our young people and their parents that they should not have more choices and opportunities to receive an education of which all of us can be proud," he concluded.

At the same hearing, DC Councilman Kevin Chavous, a popular citywide official who chairs the council's education committee, declared, "expanded school choice leads to expanded educational opportunities for parents—which, more than anything, serves to strengthen our traditional public schools." District Board of Education President Peggy Cooper Cafritz acknowledged the demand for vouchers from district families would likely be great, and she gave specific guidance for how such a program should be established.

*U.S. Department of Education*

**U.S. Education Secretary Rod Paige gets a group hug from first-grade students in Philadelphia.**

**"Congressman Franks' legislation provides a true incentive for states to create a scholarship tax credit, ensuring that any commitment made at the federal level is not only matched but exceeded by the states."**

**JOHN BOEHNER (R-OHIO)**
**HOUSE EDUCATION**
**COMMITTEE CHAIRMAN**

District public school parent and PTA President Jackie Pinckney-Hackett described her experience with the limited public school choice system already in place. She discussed how at the middle and junior high school level, the best public schools accepted 239 out-of-boundary students, despite receiving more than 2,200 applications.

"The condition of the DC public schools is no secret," she told the committee. "Our children should not be left to suffer while we wait to improve academic performance in DC public schools."

Not all the witnesses endorsed choice. District of Columbia Congresswoman Eleanor Holmes Norton and Congressional Black Caucus Chairman Elijah Cummings (D-Maryland) voiced their objections, claiming vouchers for the nation's capital would interfere with local control and reduce federal funding for public education.

Details of the proposal being worked out between District and Bush administration officials are expected to be made public in the coming weeks.

**Franks Pushes Tax Credit Plan**

An innovative new tuition tax credit proposal by Representative Trent Franks (R-Arizona) is generating enough of a buzz on Capitol Hill that some feel it may be "the one" that can ultimately build enough support to become law.

Franks, the author of Arizona's first-in-the nation scholarship tax credit and now a freshman member of the U.S. House of Representatives, introduced his federal plan in May. The plan's influential roster of original cosponsors included House Education Committee Chairman John Boehner (R-Ohio), House Appropriations Committee member John Doolittle (R-California), and House Ways and Means Committee member Eric Cantor (R-Virginia).

Various tuition tax credit plans have been introduced in the House of Representatives in each of the past several Congresses, but none has passed. Franks' plan differs from these by choosing an approach designed to encourage states to pass credit programs of their own.

Under his plan, individuals participating in state scholarship credit plans could take an additional $100 credit—$200 for joint filers—on their federal return for contributions of $250 or more. States that do not impose income taxes can offer a dollar-for-dollar credit against their property taxes.

"This approach improves the entire public and private education systems across the board and places children at the very top of the ... priority list," Franks said. "Families have waited far too long for these reforms, and Congress has an ideal opportunity—by offering incentives to states that enact their own state scholarship tax credits—to employ a proven method to help make this happen."

Tuition tax credits are currently offered in six states: Arizona, Florida, Illinois, Iowa, Minnesota, and Pennsylvania. The Arizona plan has raised $56 million since 1998; some 57,000 scholarships have been awarded.

To qualify for Franks' federal plan, state credits must be for contributions to qualified scholarship organizations that give 90 percent of contributions as scholarships to students eligible for free or reduced-cost lunches. The plans in Illinois, Iowa, and Minnesota would not qualify.

"I'm particularly pleased that Congressman Franks' legislation provides a true incentive for states to create a scholarship tax credit, ensuring that any commitment made at the federal level is not only matched but exceeded by the states," said Boehner. "This legislation provides an important financial tool that would help place that choice into the hands of parents."

*Don Soifer is executive vice president of the Lexington Institute. His email address is* **soifer@lexingtoninstitute.org**.

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# Teachers Like Tenure But Admit Its Flaws

## *New teachers left with most difficult students*

**George A. Clowes**

Most of America's public school teachers (58 percent) believe tenure protects teachers from district politics, favoritism, and the threat of losing their jobs to newcomers who would earn less, according to a new survey, titled *Stand By Me*, from Public Agenda, a national nonpartisan, nonprofit public opinion research organization.

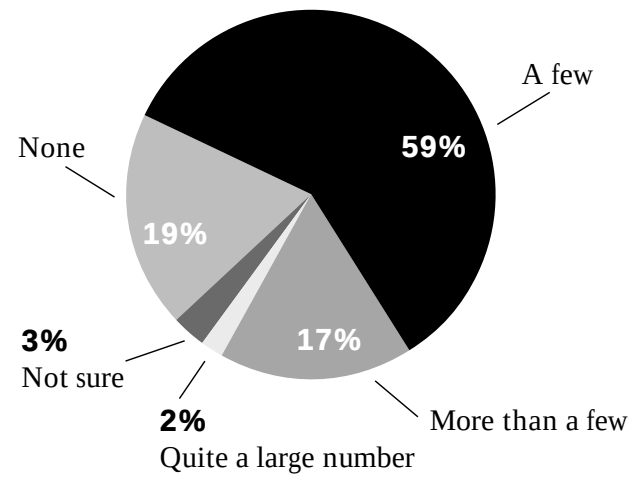
Yet a majority (58 percent) of teachers also admit that being awarded tenure does not necessarily mean such teachers have worked hard and proved themselves to be very good at what they do. One union official admitted to defending tenured teachers "who shouldn't even be pumping gas."

Teachers freely acknowledge that some teachers shouldn't be teaching, with nearly three out of five (59 percent) admitting there are a few teachers in their building who "fail to do a good job and are simply going through the motions." Another 17 percent say there are "more than a few," and only 19 percent say there are none.

**A Few Bad Eggs**

% of teachers who say:

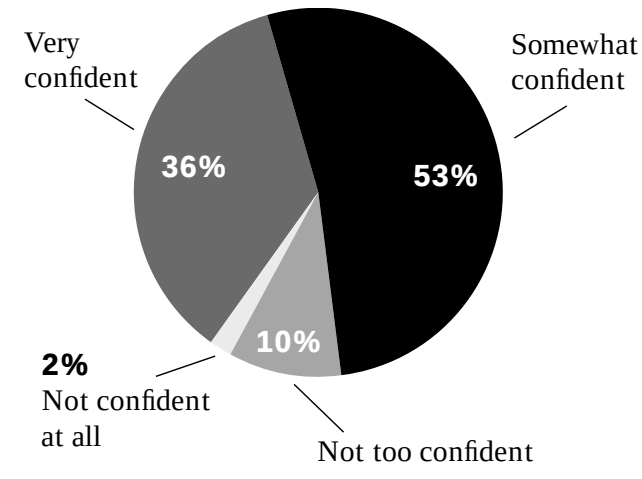
About how many teachers in your building fail to do a good job and are simply going through the motions?




Source: Public Agenda

**Confidence in Teaching Skills**

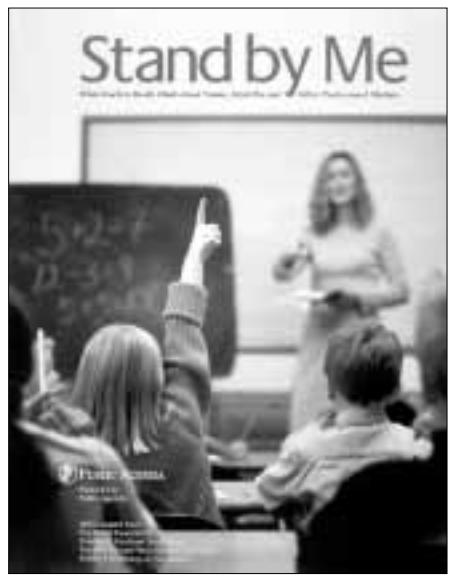
How confident are you that most of your students will learn the skills and knowledge they were supposed to by the end of the year?




Source: Public Agenda

**Impossible to Get Them Out**

Teachers also acknowledge it is extremely difficult to fire a tenured teacher. Only 14 percent say there's "rarely a problem weeding out bad teachers," but more than a third (36 percent) agree that "between tenure and the documentation requirements, it's too hard for administrators to remove any but the very worst teachers."




"It gives the profession a bad name" when truly incompetent teachers stay in the system for a long time, a New Jersey teacher told Public Agenda in one of several focus group sessions. "It creates arguments and in the end it hurts our children."

Although many teachers blame incompetent administrators for not weeding out incompetent teachers, the Public Agenda report suggests another factor may be much more important: union representatives who function much like criminal defense attorneys and defend their clients to the end, regardless of their competence as teachers.

"I've gone in and defended teachers who shouldn't even be pumping gas," one New Jersey union representative admitted to Public Agenda.

"If I'm defending them, it's impossible to get them out ... [u]nless they commit a lewd act," said another matter-of-fact union representative in Los Angeles. "I will give it my absolute best defense, and I will save the job."

**Poor Distribution of Talent**

Besides helping incompetent teachers keep their jobs, tenure also helps all teachers build up seniority, a very important consideration in teaching. Teacher pay is linked directly to years of service, and increased seniority gives teachers more say over where they will teach and who they will teach. This leads to "a distribution of talent that is flawed and inequitable," notes Public Agenda President Deborah Wadsworth.

"It is indisputable that the present system lures the most able and experienced teachers to the most supportive and resource-rich environments—and why not?" Wadsworth writes. "With no countervailing incentives in place, teachers who have put in their time and performed well would understandably choose environments with better pay, more accomplishment, and less day-to-day frustration."

The net result is that the most experienced and talented teachers tend to end up working with students who are relatively easy to teach. Only 20 percent of teachers say this is reasonable because veteran teachers have earned this benefit by putting in their time. More than three out of five (61 percent) say, "This is wrong because it leaves inexperienced teachers with the hardest-to-reach students."

Given what the focus group sessions reveal about how new teachers tend to be treated—assigned multiple preps and the lowest level classes—some of the survey's findings are not altogether surprising. For example, four in 10 teachers in the survey say "quite a large number" of new teachers they come across need a lot more training in effective ways to help struggling students (42 percent) and to handle discipline problems (45 percent). Few (9 percent) see new teachers in need of more exposure to pedagogy.

**Merit Pay: No, Combat Pay: Yes**

Although teachers in the Public Agenda survey were generally cool to the idea of merit pay—paying more to teachers who routinely get their students to learn more—seven out of 10 (70 percent) were receptive to the idea of "combat pay" for colleagues who agree to work in tough neighborhoods with low-performing schools.

While two in three teachers (67 percent) agree with paying more to teachers "who consistently work harder, putting in more time and effort," only 38 percent favor merit pay for teachers whose students "routinely score higher than similar students on standardized tests." By a 63:22 ratio, they see merit pay not as a motivator but as something that would foster "unhealthy competition and jealousy."

**Other Findings**

According to the survey, the most difficult thing about being a teacher in America today is "unreasonable pressure to raise student achievement," cited by 36 percent of teachers. Runners-up were "lack of support from parents" (21 per-

## Stand By Me

Only one in three (34 percent) of the public school teachers surveyed for Public Agenda's new report, *Stand By Me*, is "involved and engaged" in local teacher union activities, and more than half (56 percent) think "the union charges far higher dues than are warranted by what it does for teachers."

Only 19 percent say the policy stands of the national union reflect their own values and preferences, and almost half (49 percent) say the union's state and national political clout is the service they value least.

Yet three out of four teachers agree that without the union standing by them:

- Teachers would face unfair charges from parents or students and have nowhere to turn;
- The working conditions and salaries of teachers would be much worse;
- Teachers would be vulnerable to school politics or administrators who abuse their power.

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cent), "lack of effort from students" (19 percent), and "low pay and lack of opportunity for advancement" (16 percent).

Despite concerns about pressures to raise student achievement, the vast majority of teachers (89 percent) say they are confident most of their students will learn the skills and knowledge they are supposed to know by the end of the year. A majority of teachers (61 percent) also are confident they can turn around their hardest-to-reach students by the end of the year.

However, teachers are divided on which is the more important mark of student success:

- 53 percent of teachers say it is when students master the skills and knowledge they should learn;
- 45 percent of teachers say it is when students try hard and feel good about their work.

Among new teachers, a majority (55 percent) say the more important mark of success is when students try hard and feel good about their work.

An earlier Public Agenda survey found the vast majority of teachers (87 percent)

**"By a 63:22 ratio, [teachers] see merit pay not as a motivator but as something that would foster 'unhealthy competition and jealousy.'"**

say students should pass a standardized test to be promoted to the next grade. However, in this new survey, a majority of teachers (53 percent) say standardized tests "are a seriously flawed measure of student achievement."

Only 4 percent of teachers considered it appropriate for elected officials to set academic standards, with 93 percent saying, "It's an area best left to educational professionals."

*Stand by Me* was funded by The Broad Foundation, the Thomas B. Fordham Foundation, The William & Flora Hewlett Foundation, and the Sidney J. Weinberg, Jr. Foundation. The study is based on a national random sample mail survey of 1,345 K-12 public school teachers conducted in Spring 2003. The margin of error is plus or minus three percentage points.

*George A. Clowes is managing editor of* School Reform News. *His email address is* **clowes@heartland.org**.

## INTERNET INFO

The Public Agenda study, *Stand by Me: What Teachers Really Think about Unions, Merit Pay and Other Professional Matters*, is available in PDF format at **http://www.publicagenda.org**, as are PDF versions of earlier studies.

# Training

**continued from page 1**

the 1,200 collegiate ed-schools to set up an "approved program" of pedagogical coursework aspiring teachers must complete.

In recent years, critics across the political spectrum have expressed growing discontent with the quality of the teachers this system is producing. In 1998, on the heels of a finding that six out of 10 Massachusetts' teacher candidates failed a 10th-grade-level licensing test, President Bill Clinton signed into law an HEA reauthorization requiring the ed-schools to report their graduates' passing rates on state examinations.

Some institutions claimed 100 percent passing rates by exploiting a loophole where the law failed to define "graduate" precisely. They reported candidates who passed the required coursework and then passed the state exams, but neglected to report those who passed the courses but failed the state exams.

Led by Representative Phil Gingrey, a Georgia Republican, the House Education Committee on June 11 approved on a voice vote a proposed Ready to Teach Act—intended not only to tighten the reporting of ed-school data but also to stimulate sweeping reform of teacher education and certification.

Gingrey's HR2211, which covers Title II of HEA, explicitly seeks to align collegiate teacher-training programs with the results-oriented No Child Left Behind Act, the K-12 reform package signed into law by President George W. Bush that mandates a "highly qualified" teacher in every classroom by the 2005-06 school year.

**Charter Colleges of Education**

Among other federal incentives, HR2211 would fund states that establish "charter colleges of education," which, like K-12 charter schools, would receive regulatory flexibility in exchange for a commitment to deliver results. What the bill envisions is that charter colleges would disdain the conventional counting of ed-school credits as a measure of teacher quality and instead develop "value-added" assessments to show their graduates actually increase student academic achievement.

Federal grants would go to states and education partnerships that ensured teacher preparation programs were based on "rigorous academic content, scientifically based research (including scientifically based reading research), and challenging state student academic content standards."

**Incentives for Change**

Critics have charged that ed-schools too often disparage the idea of teacher-directed transmission of knowledge in favor of teachers being mere facilitators who help students construct their own knowledge, even in precise disciplines like mathematics. Surveys of the ed-schools also have shown relatively few of them teach aspiring teachers how to use phonics in teaching their pupils how to read. Because extensive research establishes that teacher-directed instruction and phonics are essential for most students, the intent of the HEA reauthorizers to exert change on teacher education is evident.

*Agence France Presse*

**Nine-year-old Tez Taylor asks President George W. Bush a question during a bill-signing ceremony for the No Child Left Behind Act.**

**"[S]chools of education and formal teacher training programs are failing to produce the types of highly qualified teachers that the No Child Left Behind Act demands."**

**REP. HOWARD P. "BUCK" MCKEON (R-CALIFORNIA)**

In addition, federal incentives would reward states that:

- Set up alternate routes to the classroom that enable mid-career professionals to become teachers without encountering process-filled barriers;
- Develop merit pay for exemplary performance as well as differential pay for principals and teachers of hard-to-fill subjects such as reading, math, science, and special education;
- Develop teacher advancement and retention strategies, such as opportunities to become mentors or master teachers;
- Produce mechanisms to ensure local school systems can expeditiously remove incompetent teachers; and,
- Devise ways to document gains in student achievement teachers have brought about as well as the teachers' mastery of the subjects they teach.

**Accurate Performance Reporting**

Gingrey's bill is the first of an expected series of HEA reauthorization measures that will address such contentious issues as affirmative action and accreditation. At a subcommittee hearing addressing "America's Teachers Colleges: Are They Making the Grade?" remarks by Michigan Democrat Dale Kildee indicated the 2003 reauthorization will continue to put bipartisan heat on the ed-schools, universities, and state education departments.

Stressing the need for accountability in teacher preparation, Kildee said it is imperative that "critical information on performance" be reported accurately.

Information on state standards for teachers also is important. Subcommittee Chairman Howard P. "Buck" McKeon, a California Republican, noted a 2002 report by Secretary of Education Rod Paige found most states set minimum passing scores for teacher licensure well below national averages.

"The data collected for this report suggest that schools of education and formal teacher training programs are failing to produce the types of highly qualified teachers that the No Child Left Behind Act demands," McKeon remarked.

*Robert Holland is a senior fellow for the Lexington Institute, a public policy think tank in Arlington, Virginia. His e-mail address is* **rholl1176@yahoo.com**.

## INTERNET INFO

Testimony on the House Education and the Workforce subcommittee hearing on the effectiveness of teachers colleges can be located on the Web at **http://edworkforce.house.gov/hearings/108th/21st/21sthearings.htm**.

The text of the proposed Ready to Teach Act (HR2211) is available at **http://thomas.loc.gov/cgi-bin/query/z?c108:H.R.2211:**.

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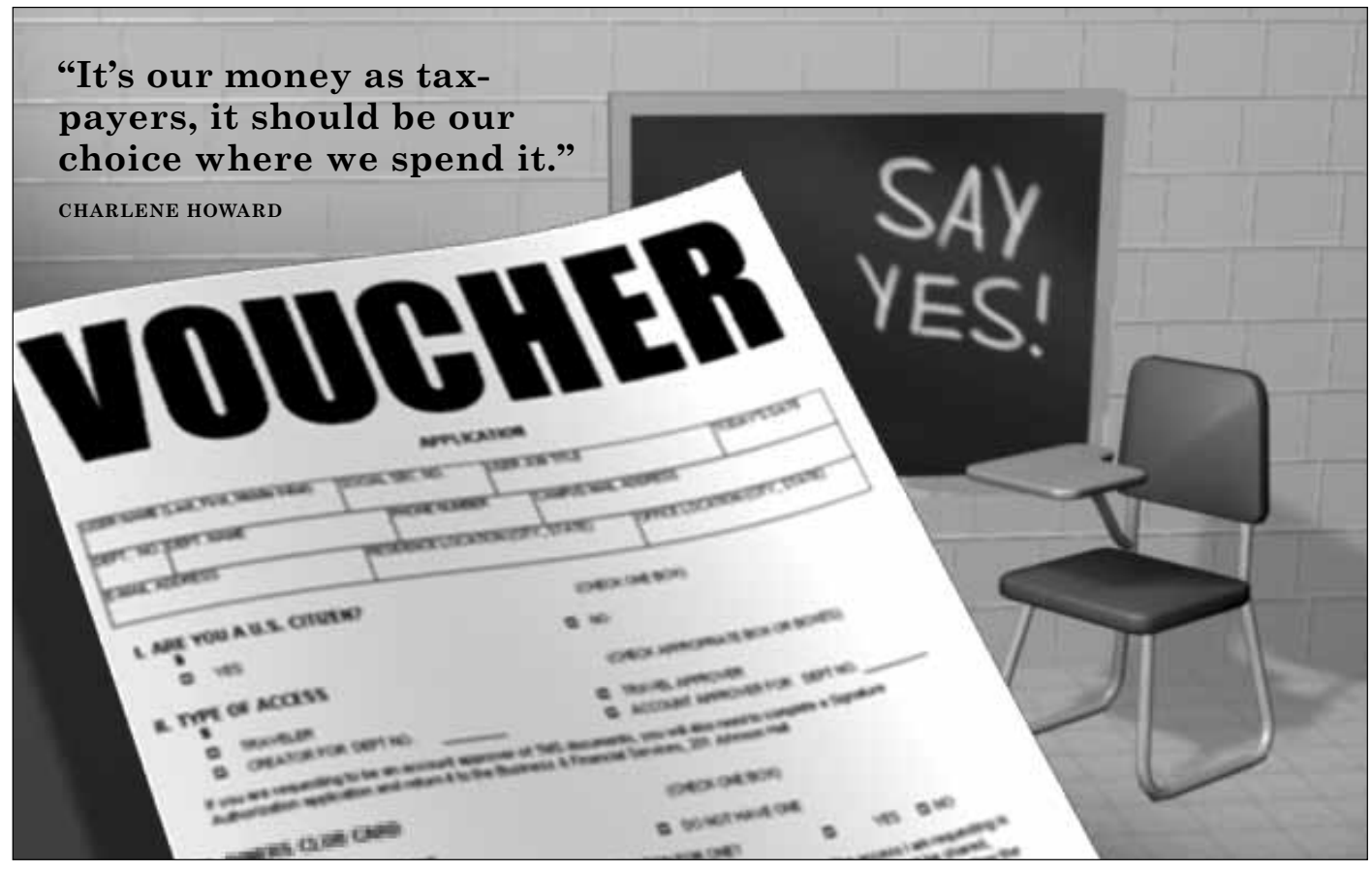
# Colorado

**continued from page 1**

we are very confident that this program will withstand any legal challenge," said Chip Mellor, president and general counsel of the Washington, DC-based Institute, the nation's leading legal advocate for school choice. "We will not allow teachers' unions and their allies to thwart meaningful education reform."

On May 29, a group of Colorado families rallied in support of the program in front of the District Court building. Inside, Institute attorneys filed a motion to intervene in the case on behalf of 12 parents and their children. The motion was granted, and the Institute joined Colorado Attorney General Ken Salazar in defense of the program.

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**Bipartisan Support**

The Colorado program, sponsored by State Rep. Nancy Spence and passed with bipartisan support, is the first voucher program in the nation enacted since the U.S. Supreme Court upheld the Cleveland voucher program last year.

The new program is restricted to low-income public school students who are performing at an "unsatisfactory" level in 11 school districts the state has rated "low" or "unsatisfactory." Parents who qualify may enroll their children in a private school of their choice—secular or religious—using a publicly funded voucher worth up to 85 percent of the district's per-pupil funding. The balance of the per-pupil funding remains with the public schools.

**"Colorado Supreme Court precedent is very favorable to school choice, and we are very confident that this program will withstand any legal challenge."**

CHIP MELLOR, PRESIDENT AND GENERAL COUNSEL INSTITUTE FOR JUSTICE

Charlene Howard's two sons, Charles and Carson, attend public schools in Colorado Springs, but she says their educational needs are not being met. She plans to send her children to private schools with the Opportunity Contract program.

"It's our money as taxpayers, it should be our choice where we spend it," she contended.

**Public Aid to Religion?**

The groups challenging the program don't see it that way. They believe conventional public schools have an exclusive claim on the tax dollars raised for K-12 education. Their lawsuit asserts the voucher program could cause the state's public schools to lose more than $90 million a year by 2007-08. With almost all eligible schools being religious schools, the Rev. Barry W. Lynn contends this would result in "public aid to religion." Lynn is executive director of Americans United for Separation of Church and State, a sponsor of the lawsuit.

"Sectarian pressure groups and their political allies want to dismantle the public school system and force all Americans to pay for an array of religious schools," he charged.

Lynn's contention—that giving publicly funded school vouchers to parents is the same as giving public funds directly to religious institutions—is similar to the position taken by National Education Association general counsel Robert Chanin in attacking the Cleveland voucher case. In oral argument before the U.S. Supreme Court, Chanin refused to accept that parents played any role at all in choosing where voucher funds would be spent. (See "Cleveland Parents Don't Choose Voucher Schools, Say Opponents," *School Reform News*, May 2002.)

Americans United lost when they took a similar position two decades ago in a 1982 challenge to Colorado's Student Incentive Grant Program, a type of state-level Pell Grant for college students. In *Americans United for Separation of Church and State v. Colorado*, the Colorado Supreme Court emphasized that the Student Grant Program—like the new voucher program—was designed to benefit students, not the institutions they selected. This reasoning parallels that of the U.S. Supreme Court in its July 2002 ruling in the Cleveland voucher case.

**Violations Charged**

The present lawsuit, *Colorado PTA v. Owens*, charges the voucher program violates Colorado's Constitution by:

- removing local control from school boards;
- compelling taxpayers and parents to support religion;
- giving tax dollars to sectarian and private institutions;
- diverting money from the Public School Fund, and;
- undermining the thorough and uniform system of free public schools.

"PTA agrees with Colorado's founding fathers that tax dollars should be used to support and improve public schools for all of the children," said Mark Townsend, president of the Colorado PTA, the lead plaintiff.

National PTA President Shirley Igo asserted, "Vouchers do not offer parents true choice or provide equal opportunities to all students."

Mellor disagreed. "Nothing in Colorado's Constitution or legal history justifies denying educational opportunity to low-income children in failing schools," he declared. "Parents deserve a voice in this lawsuit and a choice for their children's education."

Other plaintiffs in the lawsuit are the League of United Latin American Citizens (LULAC), the Interfaith Alliance of Colorado, and the Colorado NAACP. Although the Colorado Education Association is not listed as a plaintiff, five of the organization's attorneys are listed as attorneys for the plaintiffs.

Other sponsors of the lawsuit include the American Civil Liberties Union, the American Federation of Teachers, the American Jewish Committee, the American Jewish Congress, Americans United for Separation of Church and State, the National Education Association, the National PTA, and People for the American Way.

**Compelled Support?**

Rabbi Joel Schwartzman, president of The Interfaith Alliance of Colorado, raised concerns about Coloradans being forced to support religious institutions with their tax dollars. He argued this would be a violation of the state constitution, which says no one shall be required to support any religion against his or her consent.

"In two separate places, the Colorado Constitution forbids government appropriations to sectarian institutions or entities controlled by sectarian denominations," noted Schwartzman. "Our founding fathers were very clear. They did not intend for the state or any of its subdivisions to provide financial support to religious schools."

These state constitutional provisions—the so-called Blaine Amendment and the "compelled support" clause—have not fared well when deployed in challenges to school choice programs other states. The state supreme courts in Wisconsin, Ohio, Arizona, and Illinois all rejected the idea that appropriating public funds for parents to choose their child's school was equivalent to appropriating public funds to support religious institutions.

**"Religious Bigotry"**

The Arizona Supreme Court called the state's Blaine Amendment "a clear manifestation of religious bigotry" against Catholics. The U.S. Supreme Court also has recognized the "shameful pedigree" of the Blaine Amendments as a legacy of long-past anti-Catholic and anti-immigrant discrimination. (See "Blaine Amendment Falls in WA," *School Reform News*, September 2002.)

"It's appalling that the unions and their allies resort to remnants of religious bigotry to deny educational freedom to Colorado parents," said Mellor.

*George A. Clowes is managing editor of* School Reform News. *His email address is* **clowes@heartland.org**. *Pam Benigno of the Colorado-based Independence Institute contributed to this article.*

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## *How School Choice Changed Milwaukee*

**George A. Clowes**

"Freedom to choose has helped revitalize education in Milwaukee, for families and for schools," says former Milwaukee Public Schools board member John Gardener in a new TV film about the Wisconsin city's pioneering school choice program.

The film, produced by the American Education Reform Council, brings the Milwaukee Parental Choice Program to life by chronicling the journeys of three city families whose children participate in the choice program.

Through interviews with public school officials, city and state elected officials, academic researchers, and school choice advocates, the film also documents the positive impact the choice program has had on the Milwaukee Public Schools. Since the implementation of parental choice, public school enrollment and test scores are up, and the dropout rate is down.

"I think we've all risen because of the competition that now exists in the Milwaukee public schools," says Christine J. Feltz, principal of Central City Cyberschool Independent Charter School.

*George A. Clowes is managing editor of* School Reform News. *His email address is* **clowes@heartland.org**.

**INTERNET INFO**

Information on the American Education Reform Council is available online at **http://www.schoolchoiceinfo.org**, which also offers—as its name implies—a wealth of school choice information.

Copies of the 28-minute, full-color film, *Freedom to Choose: How School Choice Revitalized Education in an American City,* may be obtained from EdiTran Video Duplication and Production Multimedia Services at 414/357-6477. For orders of 1 to 25 videos, the cost is $3.55 per video, plus shipping; for orders of 26 or more videos, the cost is $2.87 per video, plus shipping. Visa or MasterCard orders only.

# Trends in the Use of School Choice

**Krista Kafer**

An increasing number of families, particularly those with lower incomes, are participating in public school choice programs and sending their children to schools other than their assigned schools, according to a May 2003 survey report from the U.S. Department of Education.

The report, *Trends in the Use of School Choice: 1993 to 1999*, examines data from the 1993, 1996, and 1999 administrations of the National Household Education Survey, which gathers a comprehensive set of information that includes the types of schools parents choose and their levels of satisfaction.

Researchers Stacey Bielick and Christopher Chapman found the percentage of students attending a public school of choice (which they refer to as "public, chosen") rose from 11 percent in 1993 to 14 percent in 1996, but showed no further increase in 1999. A public school of choice is one that is not assigned and may include another school within or outside of the district, a magnet school, or a charter school. Other nonpublic choice alternatives include private schools, both faith-based and secular, and homeschooling.

Overall, the vast majority of U.S. children do not attend choice schools. In 1999, almost three out of four children (76 percent) attended public schools to which they were assigned by their local school district, down from four out of five (80 percent) in 1993.

### Choice Increases Parent Satisfaction

Having a choice makes a difference in parent satisfaction. Parents of students in private schools or public schools of choice were more likely to be very satisfied with their children's schools, academic standards, teachers, and discipline than were parents of students attending a public school to which they had been assigned. On average, parents of private school students were most satisfied.

"Regardless of whether students attended public, chosen or private schools, parents were more satisfied with their children's schools than were parents whose children attended assigned schools," conclude Bielick and Chapman.

**"The fact that private school parents are more satisfied with their schools is not surprising. Those schools have to meet parents' expectations of what a school should be or they go out of business. The market demands performance."**

**JOE MCTIGHE**
**EXECUTIVE DIRECTOR**
**COUNCIL FOR AMERICAN PRIVATE EDUCATION**

"The fact that private school parents are more satisfied with their schools is not surprising," noted Joe McTighe, executive director of the Council for American Private Education. "Those schools have to meet parents' expectations of what a school should be or they go out of business. The market demands performance."

### A Low-Income Trend

The trend towards public school choice was most prevalent among students from low-income families. The proportion of students from families earning less than $10,000 a year attending assigned public schools declined by 9 percent between 1993 and 1999. The number of such students attending public schools of choice rose by the same amount.

Among families earning more than $75,000, the percentage of students using assigned public schools remained at about 70 percent during the survey period. In addition, the number of families choosing private schools was stable—about 7 to 8 percent for religious schools and 2 percent for secular private schools.

The survey also found:

- The use of public and private schools of choice was higher in urban areas;
- Black students had a higher rate of enrollment in public schools of choice than did white or Hispanic students in grades 1-12;
- Parents who chose private schools were more likely to have a college degree and more likely to be involved in school activities;
- Parents who used private, religious schools were more likely to expect their children to graduate from college than parents of public school students.

Homeschooled students were generally from white and two-parent households. When compared to privately schooled students, homeschoolers were less likely than private school students to be from families earning more than $75,000. Fewer homeschoolers live in the northeast or in urban areas.

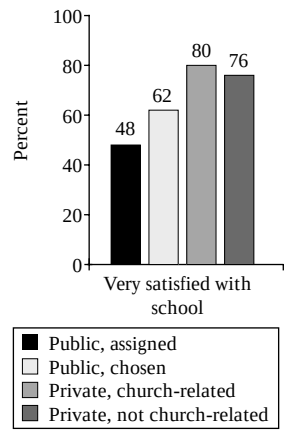
"Findings from this report suggest that public, chosen schools, grouped together across the Nation, are attended by students from diverse racial and ethnic backgrounds, family incomes, community types, and among students with disabilities," the researchers noted.

*Krista Kafer is senior policy analyst for education at The Heritage Foundation. Her email address is* **krista.kafer@heritage.org**.

**INTERNET INFO**

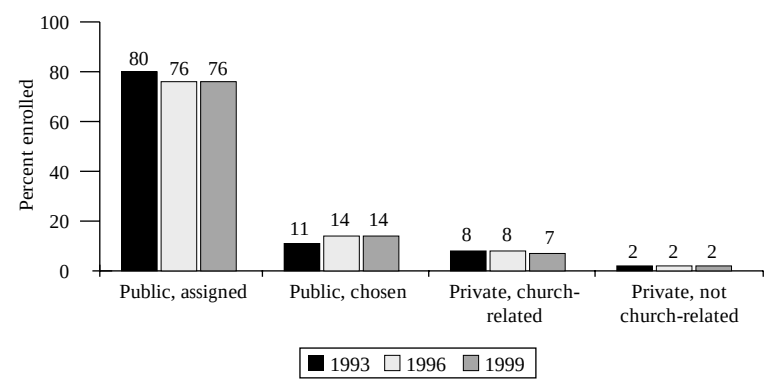
The May 2003 report from the National Center for Education Statistics, *Trends in the Use of School Choice: 1993 to 1999*, by Stacey Bielick and Christopher Chapman, is available from the NCES Web site at **http://nces.ed.gov/pubs2003/2003031.pdf**

Percentage of students in grades 3-12 whose parents are very satisfied with their student's school:1999




NOTE: Includes homeschooled students enrolled in public or private schools for 9 or more hours per week.
SOURCE: U.S. Department of Education, National Center for Education Statistics, School Readiness Survey of the National Household Education Surveys Program (NHES), 1993, School Safety and Discipline Survey of the NHES, 1993, Parent & Family Involvement Survey of the NHES, 1996, and the Parent Survey of the NHES, 1999.

Percentage of students enrolled in grades 1-12 by public and private school type: 1993, 1996, and 1999




NOTE: Includes homeschooled students enrolled in public or private schools for 9 or more hours per week.
SOURCE: U.S. Department of Education, National Center for Education Statistics, School Readiness Survey of the National Household Education Surveys Program (NHES), 1993, School Safety and Discipline Survey of the NHES, 1993, Parent & Family Involvement Survey of the NHES, 1996, and the Parent Survey of the NHES, 1999.

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# *Brown*

**continued from page 1**

white students drop out of public high schools, the figures are almost twice as high for black (45 percent) and Hispanic students (47 percent).

While one in three white fourth-graders achieve at least at the proficient level on the math portion of the National Assessment of Educational Progress, only one in 20 black students and one in 10 Hispanic students do so.

On May 15, a full auditorium heard from two of the school choice movement's most powerful speakers: Howard Fuller, founder and chairman of the Black Alliance for Educational Options, and the Reverend Floyd Flake, senior pastor of the Allen African Methodist Episcopal Church in New York and recently appointed president of Wilberforce University in Ohio.

The conference also presented three panels of speakers who analyzed stubborn problems plaguing urban education—particularly with regard to black and Hispanic students—and offered solutions ranging from alternative teacher certification programs to school vouchers to charter schools that specifically prepare students for future civic engagement.

Cato education policy analyst Casey Lartigue Jr., who organized the day-long conference, said he worries the importance of the 1954 decision—and the struggles that led to it—will be lost to the next generation, noting it is often overlooked even by today's leaders. He believes "no case in the last half-century has been more important than *Brown*," but "in some ways, its legacy has not been fulfilled."

*Brown v. Board of Education* struck down forced segregation of public schools, Lartigue said, but it clearly did not ensure equal access to quality education for students of all races and classes.

**Social Justice**

Fuller set the day's tone with his keynote address, sharply criticizing the continuing defense of the American education system over the needs of parents and their children, especially African-American children. Fuller described the fight to ensure that all parents can choose their children's schools as one "about social justice and equity" and as an inherently controversial battle because it reflects a "transfer of power."

To loud applause, Fuller warned that those fighting for the right of every child to receive a high-quality education will neither be intimidated nor deterred, and reminded the audience of the biblical admonishment that "the battle goes not to the swift, but to those who can endure it to the end."

Former U.S. Congressman Flake, whose church operates a 500-student school in Queens, New York, explained that a multitude of public policies prevent minority and low-income children from achieving at the level of their peers. He noted "one of the greatest challenges we face is the need to diminish special education," which, he says, "has become the dumping bin for kids."

Currently serving on President George W. Bush's Commission on Excellence in Special Education, Flake emphasized that special education laws are too often being used to deem difficult students "learning disabled," setting many of them on a path that leads to eventual incarceration.

**Achievement Gap Widening**

Panelists reflected a range of vantage points as they shared evidence that urban education systems are failing students, especially black and Hispanic students. Paul Peterson, director of the Program on Education Policy and Governance at Harvard University, showed that at a national level, the "achievement gap" is again widening. He also shared research demonstrating that school choice programs can begin to close that gap.

Providing a welcome contrast to the focus on problems, Irasema Salcido offered one example of a school that is successfully serving black and Hispanic students in DC: the Cesar Chavez Public Charter High School for Public Policy, which she opened in 1998 in a basement at a local mall.

According to Salcido, her school exposes the limitations of the traditional, inflexible school structure. The Cesar Chavez School not only sets high academic standards and expects college enrollment for every student, but it provides students with expertise to become more engaged citizens in improving their communities.

**"The Real Side" of School Failure**

Lartigue buttressed the need for more schools like Salcido's with a summary of the research from his report, "The Need for Educational Freedom in the Nation's Capital," which caused a stir when it was presented at a Cato Forum in the District of Columbia last fall. (See "DC Schools Chief Blasts Scholarship Program," *School Reform News*, February 2003.)

But it was left to DC parent Barbara Mickens to share "the real side, not the intellectual side" of the city's failing urban education system.

"What future can a child have if he hasn't been properly educated?" she asked.

Additional presenters at the conference included David Bositis, senior policy analyst for the Joint Center for Political and Economic Studies; Frederick Hess, resident scholar, the American Enterprise Institute; Lawrence Patrick III, president and CEO, the Black Alliance for Educational Options; and C. Emily Feistritzer, president, the National Center for Education Information.

A collection of papers prepared for the conference will be published by the Cato Institute in May 2004. Full audio and video recordings of the conference are available now at **http://www.cato.org**.

*Kelly Amis Stewart is an education consultant and coauthor of* Making it Count: A Guide to High-Impact Education Philanthropy *with Chester E. Finn, Jr. Her email address is* **KLAmis@aol.com.**

*Elise Rivera*

**Dr. Paul Peterson, Director of the Program on Education Policy and Governance at Harvard University, shares research findings that show school choice programs can begin to close the persistent "achievement gap."**

*Elise Rivera*

**"What future can a child have if he hasn't been properly educated?" asked District of Columbia parent Barbara Mickens.**

*Elise Rivera*

**Irasema Salcido tells about a DC school that is successfully serving Black and Hispanic students: the Cesar Chavez Public Charter High School for Public Policy, which she opened in a local mall in 1998.**

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# The Friedman Report

The Milton and Rose D. Friedman Foundation is a nonprofit, 501(c)(3) organization established in 1996 by Milton and Rose Friedman. The origins of the foundation lie in the Friedmans' long-standing concern about the serious deficiencies in America's elementary and secondary public schools. The best way to improve the quality of education, they believe, is to enable all parents to have a truly free choice of the schools that their children attend. The Friedman Foundation works to build upon this vision, clarify its meaning to the general public, and amplify the national call for true education reform through school choice. Contact us at **www.friedmanfoundation.org** for more information.

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## SISTER WITH A CELL PHONE

Laura J. Swartley

Sister Mary Michaeline Green has witnessed the transformation of society mirrored in the Louisiana Catholic schools where she has taught for nearly 50 years.

Now in her seventies and Superintendent of Catholic Schools for the Diocese of Baton Rouge, the cheerful, stately woman—wearing her Dominican habit with a cell phone attached to the belt—turns wistfully serious when the talk turns to school choice.

Sr. Mary Michaeline Green

Vouchers, she believes, could mean the difference between a future for Catholic education that is "more multi-cultural, offering more just wages to Catholic school teachers" or one that will continue to see Catholic education decline as schools in rural and inner-city areas struggle to remain viable.

Up until the 1960s, Catholic education thrived. A booming religious community provided high-quality instruction at low cost, and primarily stay-at-home mothers provided free, valuable assistance. But as more mothers became second wage-earners and as the ranks of the religious community began to decline, Catholic education became more expensive for churches to subsidize.

Catholic schools have had to hire more lay teachers to replace the nuns and priests who traditionally did the teaching. Since these lay teachers had not taken a vow of poverty and weren't living in a rectory or convent, they had to be paid living wages.

"With the laity staffing our schools along with very few religious, the need for preparing the laity through classes in theology and Christian formation programs has been vital," explains Sr. Mary, another added cost to the modern Church.

At the same time, increasing populations of low-income families in inner cities and rural communities are largely unable to afford higher tuition to cover these added costs.

While it seems the system already should have collapsed from the domino effect of such detrimental events, Catholic schools in Louisiana and across the country continue to serve their communities, adjusting their mission to accommodate an influx of non-Catholics. Despite a dearth of resources, Catholic schools continue to produce graduates with superior academic skills. As Sr. Mary puts it, they prepare students to "make a difference in this world and prepare them for eternity."

This is done through a confluence of human dedication and pure perseverance. The latter is evident when speaking with Sr. Mary. This past year, she worked tirelessly to try to convince the state's elected leaders that school vouchers would save one of the few good things going in Louisiana K-12 education. Instead of vouchers, the legislature opted for a state takeover of many of the worst public schools.

The challenges to continuing the Catholic school system are many, according to Sr. Mary: keeping tuition affordable in order to serve students of all socioeconomic levels; finding and hiring qualified teachers who are willing to work for considerably less than their public school counterparts; the "graying" of Catholic school leadership; continuing population shifts from the inner cities to the suburbs; and keeping up with technology while maintaining the integrity of a traditional curriculum.

A voucher program, says Sr. Mary, would help Catholic schools overcome these tremendous societal challenges and continue to educate children to undertake societal transformations of their own, as the leaders of the future.

In the meantime, Sr. Mary and her peers are committed to continuing to run the best school system in Baton Rouge on a shoestring budget.

*Laura J. Swartley is communications director with the Milton and Rose Friedman Foundation in Indianapolis, Indiana. Her email address is* **laura@friedmanfoundation.org**.

## *School Choice Roundup*

**George A. Clowes & Laura J. Swartley**

### CALIFORNIA

#### Schools Get Vouchers (from Microsoft)

To settle antitrust claims in California, Microsoft Corp. agreed to pay $1.1 billion to consumers and to give whatever was left over to the state's public schools for the purchase of computer hardware and software. Under the company's initial proposal, schools would get free Microsoft software or cash to buy other manufacturers' products.

However, Apple Computer, Inc.—a major supplier of software to U.S. public schools—criticized the agreement, saying it amounted to unfair competition. As an alternative, Apple proposed simply giving the money to the schools and letting them purchase whatever technology product they wanted.

On June 5, Microsoft said the company had dropped the idea of giving its software to schools at no charge. Instead, it would provide schools with vouchers that could be used for the purchase of hardware or software from any manufacturer.

"We certainly listened to industry feedback and acted on it," Microsoft's associate general counsel Richard Wallis told Bloomberg News.

*Los Angeles Times*
*June 6, 2003*

### CONNECTICUT

#### Board of Ed Discusses Voucher Implementation

On June 10, the Board of Education (BOE) of Winchester, Connecticut discussed the implementation of a voucher system to give students a choice of which high school to attend. The process of setting up such a system would take a few years, according to board member Art Melycher, with input sought from various parties. Several board members looked favorably on the competition vouchers would bring to education in the area.

"As soon as you get a voucher system competition is provided," the *Register Citizen* reported BOE member Joe Cadrain saying. "If we don't do the job then students go elsewhere."

BOE member David LaPointe agreed, noting, "Competition is good. That's what American ingenuity is based on."

Cadrain expressed hope competition would improve the education at The Gilbert School, a private/public school for grades 9-12 where the majority of Winchester public school students enroll after graduating from middle school.

*The Torrington Register Citizen*
*June 11, 2003*

### FLORIDA

#### Cap on Tax Credits Raised to $88 Million

In the $53.5 billion budget the Florida legislature approved on May 27 is a provision to raise the cap on the state's corporate tax credit program from $50 million to $88 million. The credits are for donations to organizations that provide scholarships for children to attend private schools. Demand for the scholarships has outstripped the number that can be funded with $50 million a year.

The budget also provides $837 million for the state's public school system.

*Sun-Sentinel*
*May 28, 2003*

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## MAINE

### Voucher Bill Voted Down

The U.S. Supreme Court may have said it is constitutional to include religious schools in school voucher programs, but the Maine legislature isn't ready to include them in the state's "tuitioning" voucher program.

In early June, a bill that would have allowed parents to spend state voucher funds at religious schools was rejected 11-2 by the Education and Cultural Affairs Committee. The bill, LD 182, subsequently was rejected 89-56 by the House and unanimously by the Senate.

The bill's sponsor, Rep. Kevin Glynn (R-South Portland), said the state now will be forced to spend money fighting two lawsuits that contend it is religious discrimination to bar religious schools from the state's tuitioning program.

Long-time Rep. Thomas Murphy (R-Kennebunk) explained to the *Bangor Daily News* that the prohibition on religious schools was not based on the intent of the legislature but was "slipped in" the code when Maine's statutes were being re-codified in the early 1980s.

*Bangor Daily News*
*June 6, 2003*

## NEW YORK

### Same Education at 1/6 the Cost

There's a vigorous debate going on about how to measure the scores of African-American voucher students versus those of similar students in New York City's public schools. But commentator Richard Rider points out there are some important points voucher critics in particular are missing:

- The voucher program is privately funded and provides about $1,400 per student; the public school system in New York City costs about $9,059 per "general education student."
- Even the analysis critical of vouchers shows the voucher students score no worse than their public school peers, which means a $1,400 voucher is delivering the same education as the public schools at less than one-sixth the cost.
- Parents of voucher students are much more satisfied with their child's school than public school parents.

*Educationnews.org*
*June 9, 2003*

### The Moral Case for School Choice

"While a system of parental choice and school competition would have a positive effect in improving schools, this argument is beside the point. The purpose of a system of parental choice is to enable parents—all parents—to exercise their inherent right and responsibility to direct the upbringing and education of their children. Even if all schools were high performing, the rationale for a system of parental choice remains. The freedom to choose the education best suited for one's children is a basic right of all parents, regardless of income."

*2002 Pastoral Letter*
*Roman Catholic Bishops of New York State*

## OHIO

### Cleveland Voucher Increase Proposed

In the $49.3 billion budget approved by the Ohio senate in early June is a provision to increase the maximum yearly scholarship in the Cleveland voucher program from $2,500 to $3,000 per pupil. The legislature has until June 30 to pass a balanced budget.

*The Statehouse*
*June 5, 2003*

## PENNSYLVANIA

### GOP Proposes Preschool Choice Plan

Although Pennsylvania Governor Ed Rendell has insisted his early-childhood education plan is nonnegotiable, that hasn't deterred Republican legislative leaders from developing their own alternatives.

Rendell's plan calls for $309 million of preschool funds to go directly to school districts with at least 35 percent of their students eligible for the federal free and reduced lunch program.

Rather than send the money to the schools and have them develop the prekindergarten services they think low-income families want, Rep. Elinor Z. Taylor (R-Chester) has a different idea. She wants to send the money directly to the low-income parents who are the intended beneficiaries so they can spend the money on the prekindergarten education services they want for their children.

Taylor recently introduced a bill to provide preschool attendance grants for four-year-olds from low-income families. With the grants, parents would have the flexibility to enroll their children full-time or part-time in public or private programs, including programs run by religious institutions.

"Flexibility is a big issue," REACH Alliance Executive Director Dennis Giorno told The Associated Press. "A lot of parents don't want to send their kids to full-day programs."

*The Observer-Reporter*
*June 8, 2003*

## TEXAS

### Voucher Bill May Be Revived

Although a school voucher bill died during the regular session of the Texas legislature, it may be revived during a special session on school finance.

"I think it will come up again, without doubt," House Speaker Tom Craddick (R-Midland) told the *San Antonio Express-News*.

Before the start of this year's session, Craddick had expected the GOP-controlled legislature to be receptive to a pilot voucher program. But after a plan to create virtual charter schools was rejected in April, prospects for approving a voucher bill diminished, and the session ended without a voucher bill passing. The virtual charter school bill was regarded by critics as a "stealth voucher bill."

In special session, legislators may yet consider HB 1624, a pilot voucher bill that would give state-funded vouchers to children from low-income and middle-income families to use for tuition at private schools. Initially targeting only 11 of the largest public school districts, the program allows for expansion to all 1,040 of the state's school districts by 2005.

*San Antonio Express-News*
*April 25, 2003*
*June 5, 2003*

## WASHINGTON

### Session Ends with No Charter Law

When the 2003 Washington legislature adjourned on the evening of June 11, lawmakers had approved several business tax reforms designed to attract the production of Boeing's next-generation jetliner to the state.

But lawmakers left Olympia without taking action on a package of four education bills that included approval of charter schools in the Evergreen State, an outcome reform advocates Fawn and Jim Spady have been seeking since 1995.

The education bills had the support of Governor Gary Locke, the Superintendent of Public Instruction, most Republican lawmakers, and many Democrats. Democratic House Speaker Frank Chopp had repeatedly promised to hold a vote on the bills.

At 10:30 p.m. on June 10, the charter school bill passed the senate on a 27-19 vote, leaving plenty of time for a house vote before the special session adjourned at midnight. However, Chopp failed to call any of the education bills before the session expired. Although Locke immediately called a second special session, the legislature adjourned that session less than a day later, and Chopp did not hold a vote on any of the four bills.

*Education Excellence Coalition*
*www.WAcharterschools.org*
*June 11-12, 2003*

## WISCONSIN

### Expansion of Milwaukee Voucher Program Proposed

Wisconsin's Democratic Governor Jim Doyle has presented his budget plan. The legislature's Joint Finance Committee has developed its budget plan. Now, the GOP-controlled legislature has to take both plans and come up with a final set of decisions. School choice will be one of the decisions they must make.

Doyle proposed no changes to the Milwaukee voucher program in his budget plan. The Finance Committee, however, proposed the following changes:

- Lift the cap on the number of students allowed to participate; currently, this is 15 percent or about 15,000 students.
- Allow private schools outside the city limits to participate in the program.
- Permit students to remain in the program even if their family income rises over time and no longer meets the program's eligibility criteria.

About 11,600 students currently are enrolled in the program.

*Green Bay Press Gazette*
*June 6, 2003*

### Teacher Union Lawyer Fined

Teacher union attorney Ed Garvey, who asked the state supreme court to overturn its ruling that Milwaukee's voucher program is constitutional, was ordered to pay nearly $3,000 for legal fees the state and another group incurred in fighting his motion. On May 23, a Dane County Judge ruled Garvey's motion was "politically motivated" and "frivolous."

The Landmark Legal Foundation, a pro-voucher group, sought the sanction against Garvey.

*Minneapolis Star-Tribune*
*May 24, 2003*

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# Teacher Unions Promote a Political Agenda

**Robert Holland**

Teacher unions are advancing political agendas from Washington, DC down to the local precinct and schoolhouse levels.

In California, teacher unions are close to winning passage of a bill that would allow them and other school employee unions to use public schools for political propagandizing directed at teachers and other school personnel.

In Illinois, a bill approved 58-0 by the state senate earlier this year would have made K-12 teachers eligible for tenure—lifetime job security—after just two years of teaching instead of the current four years. Despite the unanimous senate vote, the bill remained bottled up in a House committee at session's end on May 31.

The National Education Association (NEA)—the 2.7 million member kingpin for much of the local teacher union activism—is spending as much as one-third of its $271 million annual income on politically related activities, according to an analysis of NEA documents filed with the Internal Revenue Service.

The analysis was conducted by the Landmark Legal Foundation, a Virginia-based public interest group. Landmark has filed complaints seeking IRS collection of taxes for NEA political activities, since such activities do not qualify as tax-exempt.

The filings show the NEA spends almost $50 million a year to fund a national advocacy staff called UniServ, the 1,800 directors of which help screen political candidates and then campaign for their election. State and local NEA affiliates spend an additional $43 million on the UniServ network.

Mark Levin, Landmark president, contends the UniServ operatives are basically "precinct workers," and the NEA should have to pay income taxes on their activities. NEA officials counter such UniServ activities as helping NEA affiliates encourage their members to vote for "pro-public education candidates" do not have to be reported to the IRS under current law.

**"Using school facilities and services to push political candidates or ballot measures violates schools' political neutrality. School facilities and services are paid for by taxpayers of all political persuasions."**

**LANCE IZUMI**
**PACIFIC RESEARCH INSTITUTE**

**Repealing a Prohibition in Cal.**

In California, Assembly Bill 503 would allow teacher and other school employee unions to use public schools directly for political campaigning aimed at school personnel. Currently, the state's education code outlaws the use of school funds, services, supplies, or equipment to urge votes for or against any ballot measure or candidate. Two years ago, a state regulatory board ruled that a policy prohibiting political use of the employee mail system fell "squarely within" that statutory prohibition.

The rationale for keeping public schools partisanship-free zones is easy to understand, notes Lance Izumi of the Pacific Research Institute.

"Teachers and other school employees should be free of political pressures at their taxpayer-funded workplace," said Izumi. "Using school facilities and services to push political candidates or ballot measures violates schools' political neutrality. School facilities and services are paid for by taxpayers of all political persuasions."

Nevertheless, Assembly Bill 503, which as of early June was pending in the state senate after passage in the assembly, would repeal all existing legal and regulatory obstacles to union propagandizing in the schools. Legislative Counsel has noted it would allow the school employee unions to use school "bulletin boards, mailboxes, and other communication" to urge victory or defeat for any candidate or ballot measure. The sole caveat is that the unions' political postings must not be in areas available for viewing by the general public.

California's senate gave final passage to such a bill last year, but Democratic Governor Gray Davis vetoed it. Davis reportedly did so only because the bill lacked a provision to keep postings out of general view. Because the new bill addresses that concern, "there's a good chance the Governor could sign it," Izumi noted.

**Fast-Track Tenure Sought in Illinois**

In Illinois, the NEA affiliate provides $3.1 million in cash and other assistance to campaigns for the state legislature; the American Federation of Teachers affiliate chips in another $1.9 million. Both unions lobbied legislators hard in this year's legislative session to lower the tenure waiting period to two years, despite experts' warnings that K-12 tenure laws protect only bad teachers.

The fast-track tenure bill, SB 317, died in the House Executive Committee.

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## *Computers Could Eliminate Teaching Jobs*

**George A. Clowes**

Computers have replaced teachers for 11 students in a small Christian school in Harrison, Ohio, according to a recent article by Valerie Christopher in *The Cincinnati Enquirer*. The school is one of only 21 non-public schools in the U.S. to use fully computerized lesson plans.

"It takes roughly 10 to 12 students per classroom to pay an average teacher's compensation," principal Jerry Goodbar told Christopher. He said providing computers to the 11 students in question "was a great opportunity to work on their core subjects and be tested and graded by the computer."

One of the students, eighth-grader Jonathan Hodge, finished eighth-grade work in April and now is studying ninth-grade math, history, science, and language arts. He told Christopher the computer "enables me to work ahead and not have to let others slow me down."

KRT

The program the students are using is Switched-On Schoolhouse Network, a software package designed by Alpha Omega Publications (AOP), based in Chandler, Arizona. AOP provides Christian schools with curricula from three different perspectives:

- Horizons, for the conventional classroom teacher looking for a workbook-style curriculum;
- Lifepac, a complete work text format curriculum for students in grades K-12; and
- Switched-On Schoolhouse, a 3-12 grade level CD-ROM providing a combination of traditional learning and computerized education.

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**INTERNET INFO**

Further information about Alpha Omega Publications is available on the Internet at **www.aop.com**.

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# New Teacher Union Scandals Exposed

## *Administrator takes over Miami-Dade affiliate*

**George A. Clowes**

Teacher union officials are quick to paste a "scandal" label on any misstep, misstatement, or hint of wrongdoing—intentional or otherwise—by charter school and voucher school operators. But over the past six months, the label has been more appropriately applied to the activities of teacher union affiliates themselves.

For example, the homes and offices of former officials of the Washington DC teachers union were targeted by an FBI investigation last December. Subsequently, the parent union—the American Federation of Teachers (AFT)—filed a racketeering lawsuit against the affiliate's officials, charging an illegal diversion of at least $5 million in member dues. The diverted funds allegedly were used for the purchase of such items as jewelry, furs, custom-made clothing, artwork, wine, and home entertainment systems. (See "Massive Fraud Alleged in DC Teacher Union," *School Reform News*, March 2003.)

Based on the weekly *Communiqué* of teacher union activity compiled by Mike Antonucci of the Education Intelligence Agency, the following is a brief summary of other recent scandals involving affiliates of both the AFT and the National Education Association (NEA). Further details are available from the *Communiqué's* online archives at **www.eiaonline.com**.

### Money Siphoned from Miami-Dade Union

Less than 24 hours after Antonucci's April 28 *Communiqué* questioned whether the United Teachers of Dade (UTD) had lost members and whether the Florida Education Association (FEA) would hike its dues, the FBI and Miami police raided UTD headquarters with a sealed search warrant and removed financial records concerning President Pat Tornillo. According to the *Miami Herald*, the warrant targeted the longtime president and his personal and financial dealings, not the union itself.

That distinction provided little consolation to union members when confidential memos obtained by Antonucci showed what union officials had been intent on keeping from them: UTD financial problems dating back three years, and dues in arrears for more than a year.

According to UTD chief financial officer James Angleton, the union paid for Tornillo's home phone bills, utilities, insurance, liquor, and Christmas gifts. Credit card statements obtained by the *Miami Herald* showed at least $350,000 in union dues were spent on tailored suits, vacations, jewelry, cable TV service, artwork, and groceries for the union president. Union dues also paid for a $22,510 a year personal maid for Tornillo, who received a $243,000 annual salary and a $42,700 annual stipend to cover his business expenses.

Pat Tornillo

It was subsequently discovered that UTD was delinquent in payment of about $300,000 for the supplemental insurance premiums of 4,500 members. Tornillo took a leave of absence immediately after the FBI raid and turned UTD's day-to-day management over to UTD Secretary/Treasurer Shirley B. Johnson, who was named acting president. The AFT appointed AFT official and labor lawyer Mark Richard as the UTD administrator.

One of Richard's key concerns is the surge of member resignations since the FBI raid. He told *Tiempos del Mundo* that members need to resolve the scandals, not abandon ship.

### Mass. Union Embezzler Gambled It Away

Prosecutors have charged Richard Anzivino, former finance director of the Massachusetts Teachers Association, with larceny for writing 270 checks to himself for a total of $802,000 from 1996 to 2002. He used the money for gambling at the Foxwoods and Mohegan Sun Casinos in Connecticut, according to prosecutors and union officials.

"I only had one question from my members," Brockton Education Association President Joe O'Sullivan told the *Boston Herald*, "—was it fast women or slow horses?"

### Challenge Backfires on NYC Union Chief

When New York City Mayor Michael Bloomberg recently sent layoff notices to 848 classroom aides to address a budget emergency, the United Federation of Teachers (UFT) quickly struck back with a racial discrimination lawsuit against the city because the employees are predominantly minorities.

A curious *New York Post* reporter examined the union's own minority employment practices and found 85 percent of the union's 33 highest-paid employees are white, 60 percent of city teachers are white, and only 15 percent of the city's students are white.

UFT President Randi Weingarten in May also blasted Bloomberg over his education reform proposal, called the Children First Initiative, a plan she had earlier agreed to support. She challenged city officials to teach one period a week so they would "understand why teachers need to be supported and respected." She claimed she had "taught, sometimes full time, sometimes part time, at Clara Barton High School for six years."

A curious reporter from *The Village Voice* examined attorney Weingarten's teaching record and questioned whether she had actually completed the required two years of full-time service before she was awarded her teacher certification in September 1996. The *Voice* found she had taught full-time for only one semester during the five years prior to her certification, mostly teaching for only about 41 days a year.

### Rebellion in Louisiana

After voting to reject a dues increase at a special representative assembly on April 12, members and local officers of the NEA-affiliated Louisiana Association of Educators (LAE) began circulating petitions to recall local President Carol Davis and demand the LAE board fire Executive Director Gene Neely. A $10 dues increase already had been approved at a representative assembly last November when concerns arose about fewer members, higher dues, and reduced services.

At the November meeting, "Concerned LAE Members" distributed a flyer to delegates titled, "No Confidence in Our President and Executive Director." Included in the flyer's 20 complaints against LAE executives was one about Neely hiring his wife as a temporary employee.

When the rank-and-file discovered the LAE board of directors in March had proposed an additional $10 dues hike, a new flyer appeared titled, "Stop Monkeying Around With Our Dues Dollars!" The new flyer described how union officers and executives had a "nice big new building to work in" and were compensated generously. "Why do they need the money?" the flyer asked.



**"Credit card statements obtained by the *Miami Herald* showed at least $350,000 in union dues were spent [by United Teachers of Dade President Pat Tornillo] on tailored suits, vacations, jewelry, cable TV service, artwork, and groceries for the union president. Union dues also paid for a $22,510 a year personal maid for Tornillo…"**

### San Francisco Teachers Oust President

Members of the dual-affiliated United Educators of San Francisco (UESF) recently voted to replace local President Kent Mitchell and his cabinet with UESF Secretary Dennis Kelly and a slate of challengers.

Under Mitchell's presidency, UESF purchased a new headquarters building near Fishermen's Wharf, spent down surpluses to pay for it, and then failed to pay dues to national and state affiliates.

Although UESF has resumed the dues payments, its own dues revenues are down and its application for a property tax exemption was rejected.

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**INTERNET INFO**

Those interested in receiving the *EIA Communiqué* may sign up for it at **http://www.eiaonline.com** or by sending an email request to **educationintel@aol.com**.

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# Power-Shift:
## Teacher Unions and the Movement for School Choice

an interview with

## Terry M. Moe

George A. Clowes

It's unfortunate that readers of the Koret Task Force's book, *Our Schools and Our Future ... Are We Still at Risk?*" do not come across the chapter by Terry M. Moe on the politics of school reform until almost half-way through the book.

Moe's chapter should have been one of the first, since it's impossible to understand why U.S. public education has proven so unresponsive to reform without first understanding the considerable political power of the teacher unions and their ability to sidetrack reform efforts.

Moe's earlier writings have addressed other broad education reform issues with similarly insightful explanations, which in turn have had a major influence on the reform movement. The 1990 book Moe coauthored with fellow Koret Task Force member John E. Chubb, *Politics, Markets, and America's Schools*, is considered one of the most influential works on education published during the past decade. His 1995 book, *Private Vouchers*, was the first to cover the growing interest among foundations in providing privately funded vouchers for low-income children.

In his most recent book, *Schools, Vouchers, and the American Public* (Brookings Institution Press, 2001), Moe provides the first detailed analysis of public opinion on school vouchers. He also is the editor of *A Primer on America's Schools* (Hoover Press, 2001), which provides a critical assessment of the current state of American education.

A senior fellow at the Hoover Institution and professor of political science at Stanford University, Moe also has served as a senior fellow at the Brookings Institution in Washington DC. He is an expert on educational policy, U.S. political institutions, and organization theory, with current research projects addressing issues in all these areas.

More generally, Moe has written extensively on public bureaucracy and the Presidency, and he is a leading figure in both fields. His influential articles on bureaucracy include "The New Economics of Organization," "The Politics of Bureaucratic Structure," "Political Institutions: The Neglected Side of the Story," and "The Institutional Foundations of Democratic Government: A Comparison of Presidential and Parliamentary Systems."

Moe recently spoke with *School Reform News* Managing Editor George Clowes.

**Clowes:** *How did you become interested in education reform?*
**Moe:** I'm a political scientist with a background in the study of American political institutions, and especially bureaucracy. The public schools are probably the most common form of public agency in the country, and so it was a natural for me to move from the study of bureaucracy and theories of bureaucracy to the study of schools.

But I really owe it to John Chubb, who already was studying schools in the early 1980s and encouraged me to get involved. I did, and we worked on a project together that later turned into the book, *Politics, Markets, and America's Schools*.

**Clowes:** *Does U.S. public education need to be reformed?*
**Moe:** I think it needs to be fundamentally transformed. Its problems are deeply structural. The most important problem is that the schools are run from the top down, and they're a monopoly.

What the schools suffer from is that the incentives are all wrong—they don't have any incentives to perform effectively. What they need is more competition and more choice—competition to breed the right incentives, and choice to give parents and students options. Choice also would drive competition, so that schools and teachers will know that if they don't perform, they're going to lose students and lose money. I think that's the key to the whole thing.

But if you're going to understand why the schools are the way they are, you have to understand the politics. The politics of education shapes everything about the schools. To understand the politics, you have to recognize that there is a structure to it. Most importantly, you have to recognize that the teacher unions have so much power they can block any reforms that threaten their interests.

**Clowes:** *How did U.S. public education come to be dominated by the teacher unions?*
**Moe:** The education system was created during the early decades of the 1900s by the Progressives. The Progressives were dedicated to eliminating the spoils system, driving corruption out of politics, and replacing spoils with a bureaucratic system, where bureaucracy was a very good thing. It was a way of creating an effective organization and making government sort of non-political in its delivery of services.

The education system was set up in that spirit with the basic idea that the experts—the administrators—would be in charge of running the education system.

After the Progressive reforms were adopted, the battle was between the administrators and the politicians—school board members and people in state governments and so on—over who would be in charge of the school system. Ultimately the administrators won for themselves a lot of deference and a lot of autonomy, so that by the 1950s and '60s, the education system was pretty much run by the administrators, by the experts.

At that point, there were no teacher unions. The teachers were just employees. The administrators were running the

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show, and the administrators controlled the National Education Association.

But then new laws were passed at the state level encouraging and allowing public-sector unions, including teacher unions. The teacher union movement took off during the 1960s, continued during the 1970s, and by 1980 or so the vast majority of school districts of any size were unionized and had collective bargaining. So it went from the situation of almost no unions in 1960 to union control in 1980.

What happened during that period was that the teachers, through their unions, became the dominant power by far in the public school system. They took over from administrators. The real difference, though, was that the administrators never really had a lot of political power, because they didn't control votes, whereas the teacher unions did. That's what makes them such a formidable power in the political system.

They very quickly organized the big cities during the 1960s and '70s, and by 1980 they were already massively powerful all around the country. In fact, since the early 1980s, they've barely grown at all in terms of the percentage of teachers who are unionized. They've got virtually the whole country in their pocket, except for the South and some border states that are right-to-work states—but even in those states, where there isn't a lot of collective bargaining, the unions are still very powerful at the state level and in big cities.

**"I think [public education in the U.S.] needs to be fundamentally transformed. Its problems are deeply structural. The most important problem is that the schools are run from the top down, and they're a monopoly."**

**Clowes:** *The 1983 report, A Nation at Risk, set off what you have called a "frenzy of reforms" to improve the performance of public schools. Why did those reforms produce so little in terms of better performance?*
**Moe:** The fundamentals of the system never changed, even though the system now spends a ton more money. The reforms just nibbled about the edges of the system—changing graduation requirements, teacher certification standards, and so on. Now they're tinkering with class size, when that's not the problem.

These may have been called "reforms," but they didn't actually change the system in any fundamental way. All the reforms that would have done that—like pay for performance—were defeated by the unions and others with a vested interest in the status quo.

**Clowes:** *How do the teacher unions manage to sidetrack meaningful reforms?*
**Moe:** It's purely a matter of power. The National Education Association and the American Federation of Teachers have a lot of money for campaign contributions and for lobbying. They also have a lot of electoral clout because they have many activists out in the trenches in every political district. These two unions have three million members altogether, all across the country. No other group can claim this kind of geographically uniform political activity. They are everywhere. So all politicians have to see the teacher unions as a formidable presence in their districts.

Also, since the unions concentrate on the Democrats, the Democrats desperately need them, and are afraid of them. On important issues, where the unions say, "No way are you going to vote for this," then the Democrats have to back off. Basically, the unions are able to defeat legislation they don't like by leaning on the Democrats and by getting a few Republicans to go along, too. The American political system is based on checks and balances, with lots of veto points, and so it's easy to block new legislation.

People tend to forget that our political system of checks and balances makes it difficult to get new legislation passed. The flip side of that is that it's very easy to block something. Even groups that are not very powerful can block, but groups that are powerful really have a tremendous advantage because their power magnifies that blocking advantage many times over. If a powerful group really wants to block something, it can. That's what the teacher unions have been doing for the past 20 years—blocking reforms.

**Clowes:** *How did they respond to the call for more accountability?*
**Moe:** Accountability is very popular with the public, and so the unions have to come across as being supportive of accountability. Accountability is just a means of trying to guarantee high performance and high standards, and certainly the unions want to appear to be in favor of that.

But the fact is they don't want anyone ever to lose a job, they don't want pay to be dependent upon performance, and they don't want to have any consequences associated with performance. As a result, they regard testing, and other means of measuring performance, as bad. When those measures point to poor performance, it puts pressure on the people who are performing poorly, and the unions don't want that. So, not only do they insist on no consequences, but they are also doing everything they can to undermine testing.

What the teacher unions say is, "We're in support of accountability." But then they do whatever they can to resist testing and other measures of performance. They do whatever they can to make sure there are no consequences. What they're really in favor of is "accountability" with no accountability.

It's really about fundamental interests. The unions have basic interests that guide their behavior. They are concerned about protecting jobs, about wages, about keeping their own membership up, and about keeping their own finances up. These basic interests translate into policy positions.

That's why school choice is the most threatening of all possible reforms for the teacher unions. School choice allows children and money to leave the system, and that means there will be fewer public teacher jobs, lower union membership, and lower dues. It's the last thing they want, which is why it's the #1 issue on their agendas and why they put more pressure on the Democrats with regard to this issue than any other.

Powerful interest groups can often get representatives or public officials to do things that are not in the best interests of their constituents. In this case, the Democrats will actually oppose poor people who support choice because the unions have made opposition to choice their #1 issue. Politicians are responsive to their constituencies, but they are also responsive to power, and the last thing a Democrat would want is to have the unions oppose them.

**Clowes:** *Over the last few years, the Black Alliance for Educational Options (BAEO) has been reaching out to low-income minority families, who generally favor school choice even if their representatives don't. What are the chances that a group like BAEO can achieve some traction on the school choice issue?*
**Moe:** I think the chances are good. The mainline civil rights organizations are run by an older generation and I think they're out of step with their constituency. Black parents are the strongest supporters of choice in the entire country, and their children are often trapped in terrible schools in the inner city. They want options. Their leadership in the black community is not representing them, but there's a younger generation of leaders coming up who will represent them and who do support choice.

BAEO and these other organizations are threatening to the mainline organizations because they are representing their constituents. If the mainline organizations don't change over time, then BAEO and these others will move in. There will be substantial pressure on groups like the NAACP and the Urban League to change, and ultimately they will change—because of the pressure, because their leaders are getting older, and because younger people will eventually move into leadership positions.

One way or another, black parents in the inner city are going to get represented, and they will get choice.

**Clowes:** *One thing that seems to be changing is that people are becoming better-informed about school choice.*
**Moe:** I think that's true. It's especially true in the black community, because there are now thousands of children around the country who have vouchers, and their parents are ecstatic. And the parents talk: They talk to their friends; they talk to their ministers; they talk to their city council members. Slowly but steadily, the word is getting out. It's a slow process, but things are changing.

**Clowes:** *Are they likely to change very much? If the political system is designed to be blocked easily and the teacher unions have the power to block, that doesn't seem to provide much reason for optimism.*
**Moe:** No, it doesn't. Politics is driven by power, and the teacher unions are more powerful than anybody else in education politics. So, in the short run, they win—but they don't always win. Slowly but steadily, choice and accountability are taking root. The unions have done everything they can to defeat these reforms but they haven't defeated them everywhere. They're slowly losing their grip. Choice in particular is going to undermine union power because it allows children and money to leave unionized schools and go elsewhere.

**"The unions ... are concerned about protecting jobs, about wages, about keeping their own membership up, and about keeping their own finances up. These basic interests translate into policy positions."**

Also, the competition that choice creates puts pressure on the public schools to get their act together, to do things differently, and to be more efficient and effective. Those pressures make life very difficult for unions. The more children are able to go to private schools and to charter schools, the more the unions lose members and money and become weaker politically.

**Clowes:** *One of the ways the teacher unions have responded to competition from charter schools is by embracing the concept but then adding so many rules, regulations, and restrictions that eventually the charter schools don't offer much choice to parents or competition to the traditional public schools. Isn't there a danger the same thing could happen with school vouchers?*
**Moe:** No. I don't think the teacher unions would ever support vouchers under any conditions.

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# After-School Programs Fall Short

## *But advocates lobby for even higher funding*

**George A. Clowes**

A $1 billion federal after-school program that promised to provide "expanded learning opportunities for children and youth" isn't helping most children academically, isn't making children feel safer, and hasn't changed the number of children at home alone after school each day, according to a new federally funded study.

Although President George W. Bush has proposed cutting funding for the program by 40 percent, law enforcement officials claim that would result in increased crime and violence.

"Even for after-school programs oriented towards providing academic support as well as recreational and social activities, there were few improvements in homework completion, grades, and test scores," concluded the February 2003 report, *When Schools Stay Open Late: The National Evaluation of the 21st Century Community Learning Centers Program*. The study, commissioned by the U.S. Department of Education, was conducted by Mathematica Policy Research Inc. of Princeton, New Jersey and Decision Information Resources Inc. of Houston.

**"Reauthorized under the No Child Left Behind Act, the [21st Century Community Learning Centers] program was further restructured to concentrate more attention on the program's potential for improving academic outcomes."**

"These findings reflect the challenges school-based after-school programs face to improve student outcomes," noted the report, which examined 96 Centers across the country.

A national law enforcement group, Fight Crime: Invest in Kids, argued funding for the Centers should not be cut but increased to $1.75 billion as a means of steering children away from crime and drugs. At a February news conference, Tulsa Sheriff Stanley Glanz pointed out the after-school hours are "the prime time for juvenile crime."

Glanz presented data showing juvenile crime soars when schools let out, and after-school hours are when children are most likely to be victims of crime and to try drugs and alcohol. He said ten million children and teens are hanging out without adult supervision after school or home alone, "[entrusted] to the after-school teachings of Jerry Springer and violent video games."

"We can pay now for after-school programs and invest in success, or we can plan to spend far more later on prisons for our failures, and funerals for their victims," said Sheriff Drew Alexander of Summit County, Ohio.

The study provided little evidence that the 21st Century Community Learning Centers would achieve the law enforcement group's aims. The Centers produced no reduction in the percentage of children hanging out with their peers or home alone after school, but did reduce the percentage of children being cared for by family members and increase the percentage being cared for by non-parent adults.

In addition, although middle school students who used the Centers were "more likely to report that they had sold drugs 'some' or 'a lot' and were somewhat more likely to report that they smoked marijuana 'some' or 'a lot,'" the incidence was low.

**No Academic Improvement**

Other key findings of the study include:

- For elementary school students, reading test scores and grades in most subjects were no higher for program participants than for comparable non-participants;
- For elementary school students, there was no difference between participants and non-participants regarding completion of homework or completion of assignments to their teacher's satisfaction;
- For middle school students, grades in most subjects were similar for participants and non-participants, with slightly higher math grades for participants;
- Although no impact was evident for white participants, black and Hispanic middle school students who used the Centers showed larger grade point improvements and reduced absenteeism;
- Parental involvement increased.

Sixty-six percent of the schools that host 21st Century Community Learning Centers were considered high-poverty, i.e., at least half their students were eligible for free or reduced-price lunches. Nationally, 17 percent of schools are high-poverty. Center budgets averaged about $1,000 per enrolled student, with programs typically being free for students and parents.

Three out of five center staff members were day school teachers paid an additional $16 to $17 per hour for their after-school services. Although this is a lower rate than for classroom teaching, it is approximately twice the typical compensation rate for a child care provider. One of the early concerns expressed by private and community-based organizations about the Centers was with the amount of money going into the public schools to compete with existing service providers.

**Original Plan: Community Centers**

The 21st Century Community Learning Centers Program began in 1998 with $40 million awarded to 99 grantees in 34 states, supporting programs in about 36 schools. Although the original aim of the program was to open up the resources of public schools for community members to pursue lifelong learning opportunities in the evenings and on weekends, funding for the program soared when the Clinton administration "re-focused" the Centers as before- and after-school activity centers. (See "Lifelong Learning Plan Hijacked for Clinton Day Care," *School Reform News*, May 2000.)

Reauthorized under the No Child Left Behind Act, the program was further restructured to concentrate more attention on the program's potential for improving academic outcomes, especially for disadvantaged students. The program received $1 billion in 2002 and supports about 6,800 rural and inner city public schools in 1,420 communities.

Although current grants may go only to public schools, partnership efforts with private and community efforts are encouraged. Under changes approved by Congress last year, new funding will be distributed to the states, which then will award grants to schools, community centers or faith-based groups to run after-school centers.

"The evaluation of this program represents the most rigorous examination to date of school-based after-school programs," said U.S. Undersecretary of Education Eugene Hickok. "This program was designed to address readily apparent needs in our communities, like getting kids off the streets, providing academic services after school, and having constructive and enriching experiences for our children. Thanks to this study, we found areas where we can improve."

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### INTERNET INFO

The U.S. Department of Education Report, dated January 2003 and titled *When Schools Stay Open Late: The National Evaluation of the 21st Century Community Learning Centers Program*, is available online at **www.ed.gov/pubs/21cent/firstyear.pdf**.

Information on the law enforcement group, Fight Crime: Invest in Kids, is available at **http://www.fightcrime.org**.

You've got one period to teach them about the federal budget.
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# McKay

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program in the nation. Its potential for expansion is considerable, as 375,000 special-education students in the state are eligible.

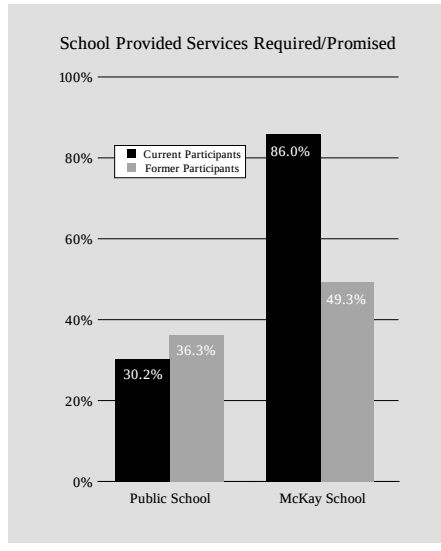
Researchers conducted telephone interviews with 600 respondents whose children are currently enrolled in the McKay program and 215 whose children no longer take part. From those surveys, Greene and Forster reached these major findings:

- Parents are far more satisfied with their McKay schools (93 percent "satisfied" or "very satisfied") than they had been with their public schools (33 percent similarly satisfied).
- Class sizes dropped from an average of 25 students in public schools to just under 13 per class in McKay schools.
- Safety and behavior improved in McKay schools. In public schools, almost half of pupils were often victimized by other students because of their disabilities, while in McKay schools only 5 percent were. While 40 percent of current participants said their children manifested behavior problems when they were in public schools, only 18 percent reported such misbehavior in McKay schools.

"Perhaps the strongest evidence regarding the McKay program's performance," the Manhattan scholars noted, "is that over 90 percent of parents who have left the program believe that it should continue to be available for those who wish to use it." The researchers had determined they could get a more complete picture of the program's performance if they included those who dropped out, not just those who remain McKay participants. The survey did not ask why they left.

**New Hope**

The study's release came as Congress was still grappling with the reauthorization of the massive Individuals With Disabilities Education Act (IDEA). Advocates seeking results-oriented reform




and parental empowerment have clashed with special interests—including the national teacher unions—pushing expansion of federal funding without major structural changes in a bureaucratic and litigious IDEA.

Early proposals for giving states flexibility to try McKay-style choice under the IDEA umbrella failed to win a majority in the House of Representatives, but the Manhattan results have given advocates new hope for eventual success.

Rep. Jim DeMint (R-South Carolina), who has championed school choice, said he hoped the proven success of the Florida program "will persuade Congress to give all states the freedom and flexibility to create programs that promote choice for families.

"Too often," DeMint said, "the complicated and adversarial federal IDEA system prevents parents from making choices unless they are wealthy and have the time to navigate the confusing IDEA bureaucracy. Families at all income levels should be given options to ensure that their disabled children receive a truly equal and quality education."

**Accountability**

The Manhattan study generated data that appear to counter many of the claims made by critics of the McKay vouchers.

For instance, critics contend the McKay schools lack accountability because they are outside the government-prescribed compliance process. Two such critics, People for the American Way (PFAW) and the Disability Rights and Education Defense Fund (DREDF), issued a joint report claiming once parents use a voucher to leave the public schools, "they have effectively opted out of the legal rights and educational services guaranteed under IDEA."

School choice advocates point out the most powerful form of accountability comes when parents can withdraw their children if schools fail to live up to their commitments. Findings from the Manhattan Institute study tend to support that view.

The researchers found only 30 percent of current McKay participants said they received all federally required services when their children were in public schools, while 86 percent reported their McKay school had delivered on all the services promised. Among former McKay participants, 36 percent believed their public schools provided all the required services, while 49 percent said their McKay schools delivered on their promises.

**Equity**

Many McKay critics also assail the voucher program on equity grounds because the rules permit parents to use their vouchers at schools that charge more in tuition and fees than the voucher will cover. That means only the wealthy would be able to afford truly high-quality services in private schools, according to critics.

However, the Manhattan researchers found 72 percent of current participants and 76 percent of former participants said they paid either no more than the voucher covered or less than $1,000 per year more. Contrary to assertions in a *New York Times* news story and a *Times* column by Richard Rothstein, the study concluded, "most McKay participants are getting measurably better services from private schools for either the same amount of money that public schools spend or for only a moderately higher amount."

In addition, the PFAW/DREDF report charged McKay private schools "pick and choose" among students with disabilities, "denying admission to students with more severe or specific kinds of disabilities." The Manhattan data, however, establish that McKay students reflect the statewide profile in terms of severity of disability.

**"[O]nly 30 percent of current McKay participants said they received all federally required services when their children were in public schools, while 86 percent reported their McKay school had delivered on all the services promised."**

**Transportation**

The data indicated transportation to school may have been more of a problem for McKay families than for those in public schools, perhaps helping to explain why some parents dropped out of the program. Among former participants, 17 percent found transportation to public school burdensome, while 58 percent judged transportation to a McKay school of choice to be burdensome.

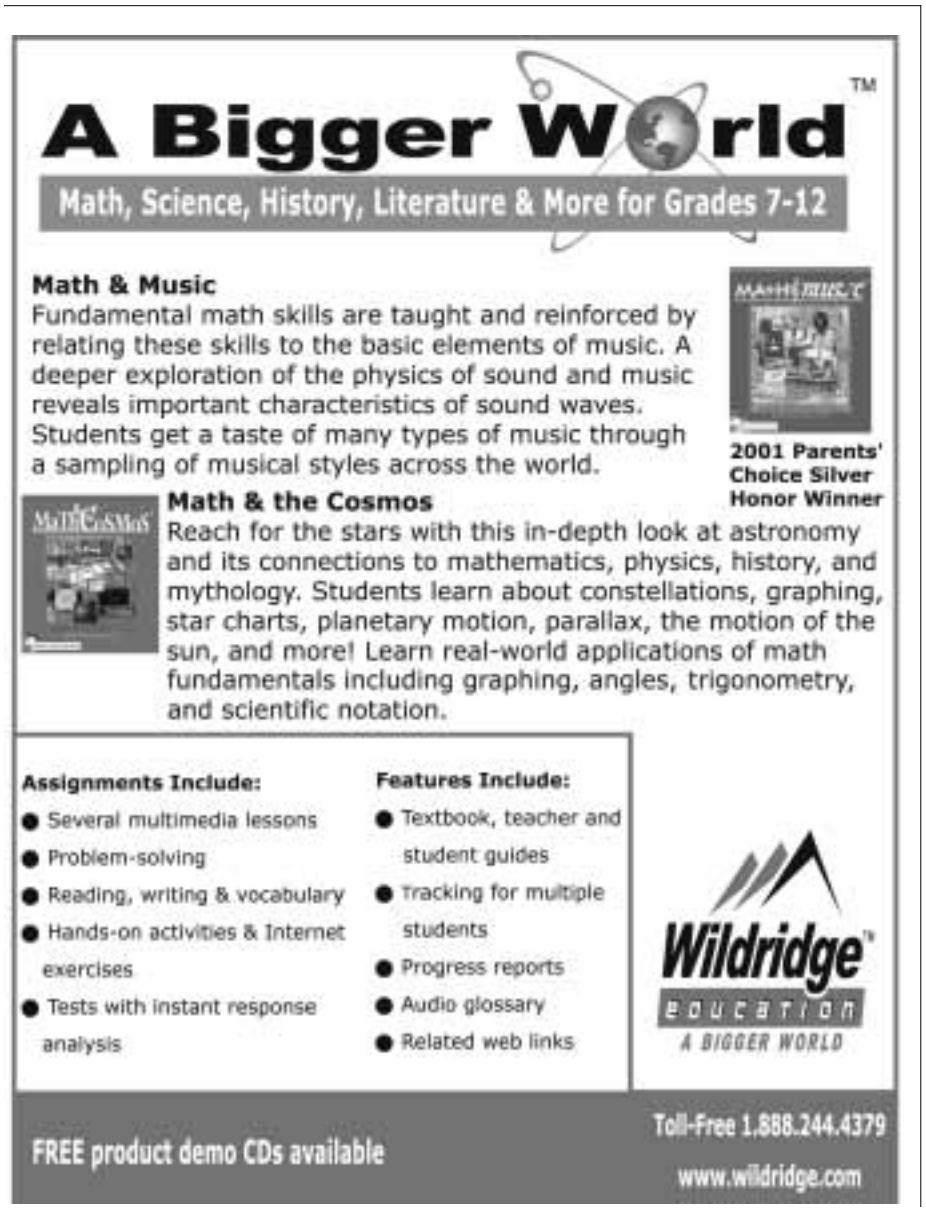
On the crucial question of whether the McKay program should be continued, the Manhattan team asked only the former participants their view. The overwhelming 91 percent "yes" response came without significant differences as to race, income, or severity of disability.

"This must be considered a very strong show of support for the McKay program," concluded Greene and Forster, "considering that these are the parents who have chosen not to participate any longer. It appears that whatever their reasons for leaving, they don't feel that other students would be worse off for having the program available."

*Robert Holland is a senior fellow at the Lexington Institute, a public policy think tank in Arlington, Virginia. His email address is* **holland@lexingtoninstitute.org**.

**INTERNET INFO**

The Manhattan Institute report, "Vouchers for Special Education Students: An Evaluation of Florida's McKay Scholarship Program," can be found online at **http://www.miedresearchoffice.org**.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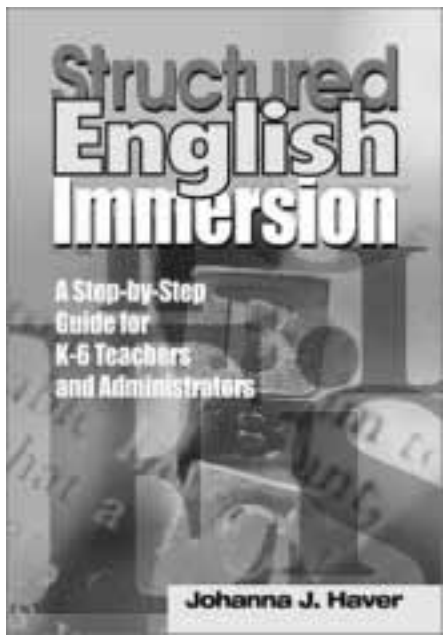
# A How-to Guide for Structured English Immersion

**Don Soifer**

A new book by veteran public school teacher Johanna J. Haver, *Structured English Immersion: A Step-by-Step Guide for K-6 Teachers and Administrators* (Corwin Press, Thousand Oaks, Calif., 2003), offers educators a how-to guide for achieving the progress toward fluency required by the No Child Left Behind Act.

Haver's book provides a comprehensive and well-organized guide to the structured immersion approach to English language acquisition. It will be a valuable tool for anyone involved in teaching English learners the language skills they need.

"Structured English Immersion is designed to use English as much as possible," says Haver, "so that almost any Limited English Proficient student in grades K-8 can be moved through the stages of immersion and into mainstream classes in 6 to 18 months at the most."




**California's Prop. 227**

It took nearly 25 years before the chronic failure of bilingual education landed it in the crosshairs of reformers. In 1998, California voters passed Proposition 227, effectively eliminating bilingual education and replacing it with an English immersion approach.

Since then, bilingual education reform has become one of the nation's fastest-spreading public policy movements. Arizona and Massachusetts have passed laws based on California's, while several other states have adopted changes to emphasize in their bilingual programs a more rapid transition to English fluency.

At the federal level, the No Child Left Behind Act establishes a system of block grants that require recipients to demonstrate progress toward improving English fluency. The system replaces a $300 million federal grant program that strongly favored non-English, native language instruction.

In the two years following Proposition 227, the greatest gains among English learners in California were made in school districts that chose the strictest interpretation of the initiative and implemented the most intensive English immersion programs.

**Teacher Collaboration**

In a section of the book addressing ways to incorporate content-area curriculum into instruction, Haver discusses the importance of collaboration among immersion and mainstream teachers and the value of pulling information and examples from mainstream sources. A section on assessment sheds light on the strengths and weaknesses of many commercial oral language proficiency tests.

Where this guidebook offers the most helpful information, though, is in curriculum development and lesson planning. Teachers will find many thoughtful suggestions on this topic, including audiovisual materials and resources. Another section that deserves careful study by administrators—especially those in school districts with large populations of English learners—describes how best to handle interactions with the Office of Civil Rights in the U.S. Department of Education.

*Don Soifer is executive vice president of the Lexington Institute in Arlington, Virginia. His email address is* **soifer@lexingtoninstitute.org**.

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# Voucher Wars Will Continue

## *Union opposition to school choice is implacable*

**George A. Clowes**

Four recently published books neatly describe the bitter struggle facing many education reformers who have been advocating parental choice using school vouchers. Those reformers regard vouchers as the most effective way to improve public schools and serve the interests of children and families ... but teacher unions are implacably opposed to vouchers.

**Voucher Wars**

The persistence of that opposition is evident from Clint Bolick's new book *Voucher Wars: Waging the Legal Battle Over School Choice* (Cato Institute, 2003). Bolick offers an informative account of a 12-year fight against teacher union lawyers trying to snuff out newly enacted school choice programs from Florida to Arizona and from Milwaukee to Cleveland. Those 12 years stretch from the spring of 1990, when Bolick first contacted Wisconsin State Rep. Polly Williams about defending her pioneering Milwaukee Parental Choice Program, to June 2002, when the U.S. Supreme Court ruled in the *Zelman* case that the Cleveland school choice program is constitutional.

During those 12 years, Bolick and his colleagues at the Institute for Justice litigated 16 school choice cases, encompassing 40 court arguments and 80 briefs totaling some 2,400 pages. Most of those cases involved new school choice programs whose primary aim was to give low-income children in failing public schools an opportunity to transfer to a private secular or religious school of their parents' choice. The teacher unions' central and recurring objection to those programs was that they violated the Establishment Clause of the First Amendment to the U.S. Constitution, requiring the separation of church and state.

Although the *Zelman* ruling means the teacher unions lost their Establishment Clause argument, it doesn't mean an end to their legal battle against school vouchers, as Robert Chanin, chief counsel for the National Education Association (NEA), made abundantly clear at a Manhattan Institute Forum three years ago.

"The legal battle will not end," said Chanin. "We will abandon the Establishment Clause, and continue to challenge voucher and choice programs under state constitutions on whatever grounds are available to us—from lofty principles such as church-state separation, to 'Mickey Mouse' procedural issues like the single-subject rule."

True to Chanin's word, on May 20, 2003, the NEA and other groups challenged Colorado's new voucher program—the Opportunity Contracts program—saying the state constitution prohibits the use of public funds to support religious schools.

**School Choices**

While Bolick's book is about the battle to sustain existing school choice programs, John Merrifield's book, *School Choices: True and False* (The Independent Institute, 2002) is about school choice as an education reform policy.

Merrifield concisely describes the need for education reform, the rationale for school choice, how choice would improve public education, the necessary features of choice programs, the lack of many of those features in existing school choice programs, and how many school choice advocates have misrepresented and oversold these limited programs.

Competition is the only "true reform catalyst," notes Merrifield, who also points out this critical component is present in only a limited way in most school choice programs and proposals. Despite all the fanfare from school choice advocates about "competition" in K-12 schooling, Merrifield says, the idea hasn't really been tried. The rules and regulations governing existing choice programs effectively keep competition on a very tight leash, with severe restrictions not only on pricing but also on student and private school participation.

**"[Many] reformers regard vouchers as the most effective way to improve public schools and serve the interests of children and families ... but teacher unions are implacably opposed to vouchers."**

Merrifield's advice to school choice advocates is two-fold: To push for parental choice programs that really do unleash competitive forces in the education marketplace; and to refrain from describing highly restricted school choice programs as tests of market forces or examples of "full school choice."

**Breaking Free**

Vouchers do not change the way taxes are raised for K-12 education; they change only the way those funds are distributed. In the traditional public school funding arrangement, public school officials allocate funds directly to schools. Under a voucher plan, funds are allocated to students in the form of vouchers; schools receive funds only indirectly, when parents choose those schools and students bring their vouchers with them.

In the struggle to enact school choice programs, attention naturally has been focused on using school choice to help in worst-case situations: low-income minority students in inner-city schools. The value of Sol Stern's thoughtful new book, *Breaking Free: Public School Lessons and the Imperative of School Choice* (Encounter Books, 2003), is that it covers not only how voucher programs serve low-income children in Milwaukee and Cleveland, but also how they would serve the needs of all children by empowering parents to take a meaningful stand against an unresponsive public education system.

We all need the "power to exit" unsatisfactory schools, says Stern, drawing on the experience of having his own children educated in the New York City public schools.

One key lesson he learned was that even the "best" schools his children attended "were burdened with too many unproductive or dysfunctional teachers, harmed by irrational personnel and recruitment practices, and affected by a deadening, systemwide bureaucratic culture." For example, although students were accepted into Stuyvesant High School only on academic merit, union rules placed teachers in the school on the basis of seniority, not competence, leading to situations where unqualified teachers were transferred in.

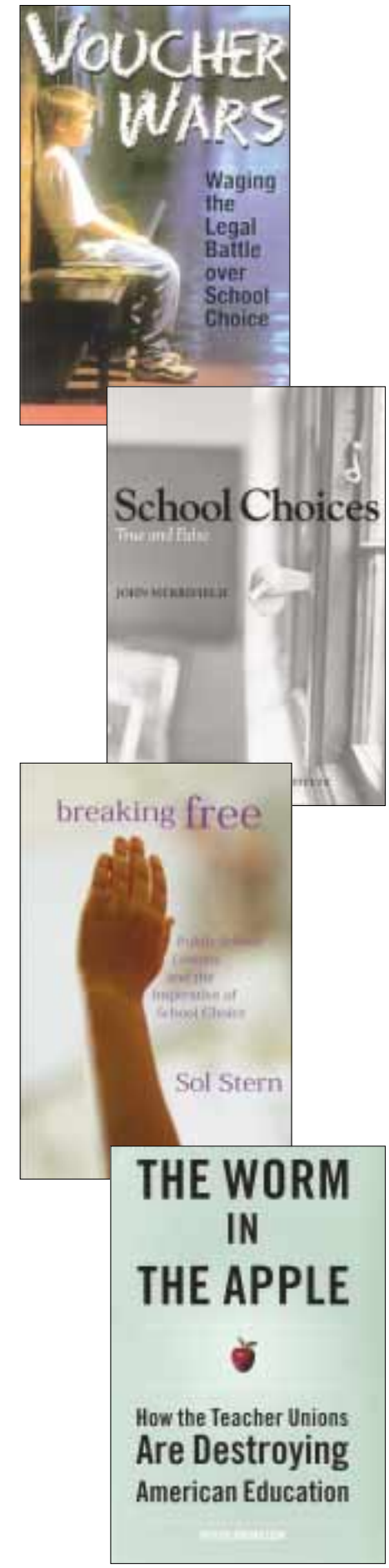
**The Worm in the Apple**

One of the "perplexing discoveries" Stern made about his son's public elementary school was that it employed three or four teachers who were too dysfunctional to be trusted with children and thus were assigned "baby-sitting" or patrol duties. Just as at Stuyvesant, the teacher union contract required the school to accept teacher applicants with the most seniority, even if they were incompetent, and the union contract made it virtually impossible to fire such teachers.

The teacher unions and their domination of American public education policy—and American politics—are the subject of Peter Brimelow's provocative new book, *The Worm in the Apple: How the Teacher Unions Are Destroying American Education* (HarperCollins Publishers, 2003).

Brimelow, a financial journalist, first placed a spotlight on the teacher unions with a 1993 *Forbes* article, "The National Extortion Association." His book provides extensive examples of how the teacher unions have integrated their sphere of influence on public education from teacher contracts approved by local school boards to education bills approved by the U.S. Congress.

Brimelow draws a parallel between the way the Standard Oil Trust controlled the U.S. oil industry through its state-level subsidiaries a hundred years ago and the way the national teacher unions now control the U.S. education industry through their state affiliates, or "Teacher Trust."


VOUCHER WARS
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School Choices
breaking free
Sol Stern
THE WORM IN THE APPLE
How the Teacher Unions Are Destroying American Education

Every parent would benefit from reading this book to better understand why common-sense school reforms never go anywhere, but it is must reading for school board members who need to understand what is driving the union local they negotiate with over teacher contracts.

*George A. Clowes is managing editor of* School Reform News. *His email address is* **clowes@heartland.org**.

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